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THE NEW YORKER

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OCT 14

GOINGS ON ABOUT TOWN

A CONSCIENTIOUS CALENDAR OF EVENTS OF INTEREST

THE THEATRE

PLAYS AND MUSICALS

Agnes of God—Geraldine Page, Amanda Plummer, and Diahann Carroll have much to say about a peculiar subject—the apparent virgin birth to a young nun in a convent of a child subsequently found dead. The discussion is a lively one, though the playwright, John Pielmeier, has found no satisfactory way of bringing it to an end. Elizabeth Ashley returns to the cast on Monday, Oct. 11; until then Miss Carroll fills in for her. (Reviewed in our issue of 4/12/82.) (Music Box, 239 W. 45th St. 246-4636. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.)

Anthem for Doomed Youth—A one-man play written and performed by Michael Adler and based on the life and works of Wilfred Owen. Opens Wednesday, Oct. 6, at 7. (Actors Playhouse, 100 Seventh Ave. S., at Sheridan Sq. 691-6226. Tuesdays through Saturdays at 8, and Sundays at 7. Matinées Sundays at 3.)

Baseball Wives—A season with the Astros, as reflected in the conversations (double or triple, and under stress) of the wife of the team's manager, the wife of its black star, and the wife of a rookie. Grubb Graebner's rather aimless but often amusing play is nicely acted by Marcella Lowery, Lynn Goodwin, and Carol Teitel. (Harold Clurman, 412 W. 42nd St. 594-2370. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.)

Cats—A London musical by Andrew Lloyd Webber, who based it on T. S. Eliot's "Old Possum's Book of Practical Cats." Trevor Nunn is the director. Previews Wednesday, Oct. 6. Opens officially on Thursday, Oct. 7. (Winter Garden, Broadway at 50th St. 239-6222. Nightly, except Sundays, at 8; opening-night curtain at 7:30. Matinées Wednesdays and Saturdays at 2.)

Charlotte Sweet—A spoof of Victorian music hall. The libretto is by Michael Colby and the music by Gerald Jay Markoe. The young company performs valiantly and with some skill. (Westside Arts, 407 W. 43rd St. 541-8394. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.)

The Dining Room—The action of A. R. Gurney, Jr.,'s delightful play takes place in a formal dining room somewhere in New England, and this action is a matter of brief scenes about a large assortment of characters over the past fifty years or so. All the characters are portrayed by six nimble, accomplished actors—Nicholas Hormann, Mary Catherine Wright, Debra Mooney, Ann McDonough, W. H. Macy, and Charles Kimbrough. David Trainer was the good director. (3/1/82) (Astor Place Theatre, 434 Lafayette St., near Astor Pl. 254-4370. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.)

Equity Library Theatre—A revival of Ray Cooney and John Chapman's **NOT NOW, DARLING** is the first in this season's series of eight productions. (Equity Library Theatre, 103rd St. and Riverside Dr. Nightly at 8. Matinées Saturday and Sunday at 2:30. Closes Sunday, Oct. 10. For information about tickets, for which contributions are requested, call 663-2028.)

Geniuses—Jonathan Reynolds, a gifted playwright, has written an annoying, campy comedy about some movie people on location near Manila during a typhoon. (5/24/82) (Douglas Fairbanks Theatre, 432 W. 42nd St. 279-4200. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.)

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Good—The Royal Shakespeare Company production of C. P. Taylor's play with music. Alan Howard heads the cast. Howard Davies is the director. Previews through Tuesday, Oct. 12. Opens officially on Wednesday, Oct. 13. (Booth, 222 W. 45th St. 239-6200. Nightly, except Sundays, at 8; opening-night curtain at 6:30. Matinées Wednesdays, Saturdays, and Thursday, Oct. 14, at 2.)

Knucklebones—A comedy by Douglas Anderson. (Nat Horne, 440 W. 42nd St. 279-4200. Wednesday through Friday at 8; Saturday at 7 and 10; and Sunday at 7. Matinée Sunday at 3. Closes Sunday, Oct. 10.)

Lennon—A musical by Bob Eaton about the life of John Lennon. (Entermedia, 189 Second Ave., at 12th St. 475-4191. Tuesdays through Saturdays at 8, and Sundays at 7. Matinées Saturdays at 2 and Sundays at 3.)

Light Opera of Manhattan—Through Sunday, Oct. 17: Victor Herbert's **MLLE. MODISTE.** (Eastside, 334 E. 74th St. 861-2288. Wednesdays through Saturdays at 8:30. Matinées Wednesdays at 2 and Saturdays and Sundays at 4.)

Little Shop of Horrors—Based on Roger Corman's 1960 horror quickie about a man-eating plant, this exuberant, jokey musical is untainted by camp. The spirited, tuneful rock score is by Alan Menken, and Howard Ashman wrote the witty book and witty lyric the singing and comic acting by the enti company is a credit to Mr. Ashman, the i ventive director. Martin P. Robinson d signed and manipulates the menacing plan and it speaks and sings in the menacing bar tone of Ron Taylor. With Lee Wilkof, as th apprentice florist who discovers and nurtur it, and Ellen Greene as the lady he love (9/27/82) (Orpheum, 126 Second Ave., a 8th St. 477-2477. Tuesdays through Frida at 8; Saturdays at 7 and 10; and Sundays a 7:30. Matinées Sundays at 3.)

Master Harold . . . and the Boys—Athol Fugard deft if unnecessarily didactic play about th immorality of apartheid. Formidably we acted under the author's direction. (5/17/8 (Lyceum, 149 W. 45th St. 239-6200. Nigh ly, except Sundays, at 8. Matinées Wedne days and Saturdays at 2.)

Nine—A sensationally opulent production of musical comedy wrenched with little intelle tual finesse from the classic movie "8½ Raul Julia is the star. (5/24/82) (46th Stre Theatre, 226 W. 46th St. 246-0246. Nightl except Sundays, at 8. Matinées Wednesday and Saturdays at 2.)

Present Laughter—Audiences guffaw at th outrageous roughing up of Noël Coward gentle, well-written comedy, much as if were a country circus. George C. Scott is th star and director. (7/26/82) (Circle in th Square, Broadway at 50th St. 581-072 Tuesdays through Saturdays at 8. Matiné Saturdays at 2 and Sundays at 3.)

The Queen and the Rebels—A tiresomely ol fashioned play by Ugo Betti, about a revol tion in some unnamed country, possibl

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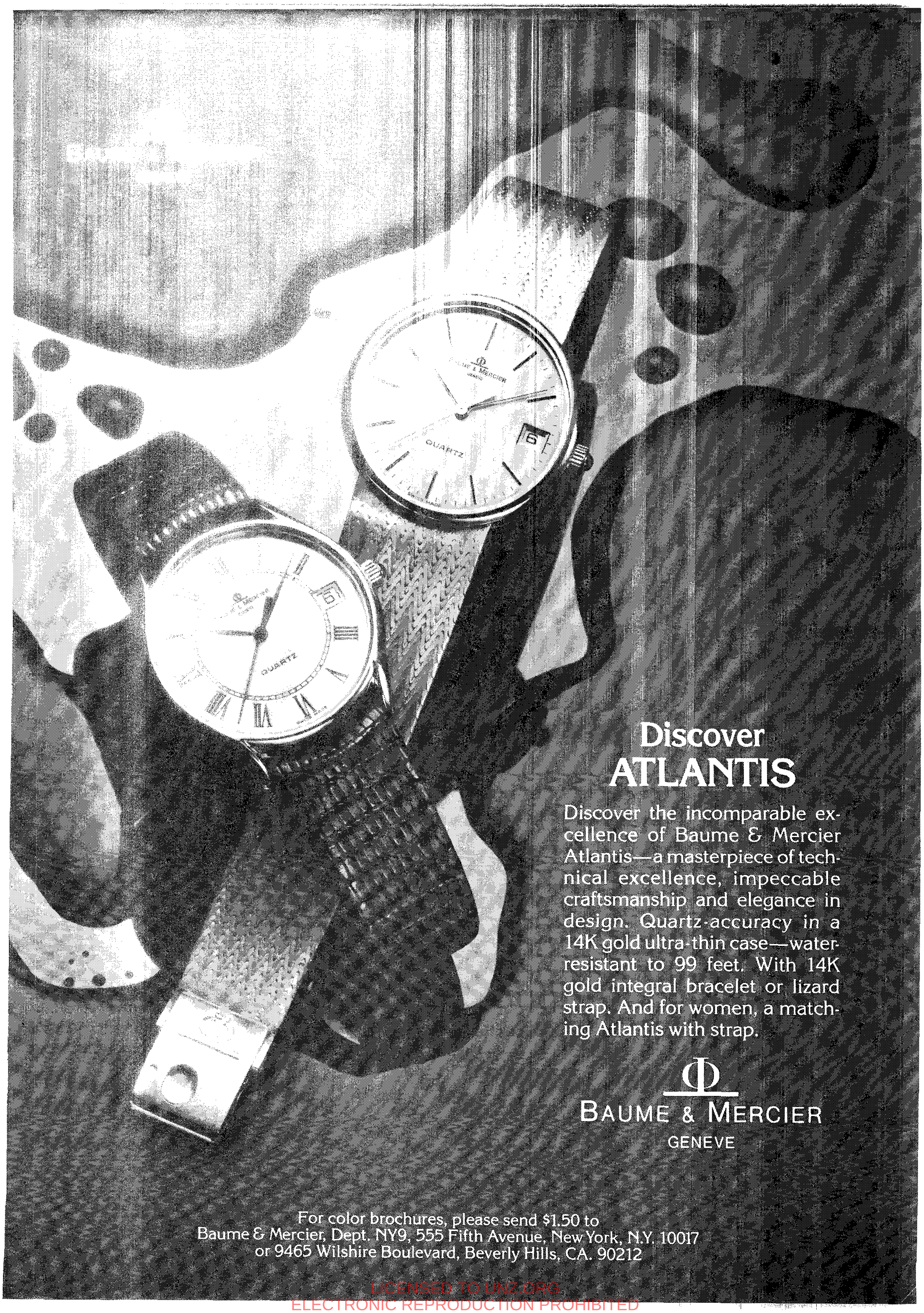

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GOINGS ON ABOUT TOWN

Graustark. Colleen Dewhurst heads the admirable cast. (Reviewed in this issue.) (Plymouth, 236 W. 45th St. 239-6200. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)

The Stage That Walks—Bruce D. Schwartz, a *puppeteer of impressive invention and dexter*ity, opens this season's American Humorists Series. (10/4/82) (Subplot Cabaret, American Place, 111 W. 46th St. 247-0393. Tuesdays through Saturdays at 8. Matinées Sundays at 3.)

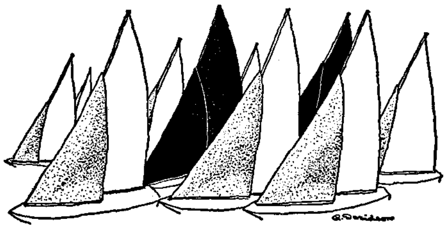
Talking With—*This collage of eleven mono*logues by as many women, most of them, for one reason or another, somewhat beside themselves, is considerably more than a dramatic curiosity. An import from the Actors Theatre of Louisville and written by Jane Martin, it is all but flawlessly performed by the eleven actresses of the company. With Margo Martindale, Lisa Goodman, Anne Pitoniak, and Theresa Merritt, among others. Jon Jory directed. (Manhattan Theatre Club, 321 E. 73rd St. 472-0600. Nightly, except Mondays, at 8. Matinées Saturdays and Sundays at 2:30. Closes Sunday, Oct. 31.)

Torch Song Trilogy—Three plays—humorous, sad, sentimental, and witty—by and starring Harvey Fierstein, as a Jewish homosexual hustler and drag queen. Richard DeFabees substitutes for Mr. Fierstein at the matinée performances. (2/1/82) (Little Theatre, 240 W. 44th St. 944-9450. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.)

The Wake of Jamey Foster—A new play by Beth Henley, with Susan Kingsley, Anthony Heald, Holly Hunter, Belita Moreno, Patricia Richardson, Brad Sullivan, and Stephen Tobolowsky. Directed by Ulu Grosbard. Previews through Wednesday, Oct. 13. Opens officially on Thursday, Oct. 14. (Eugene O'Neill, 230 W. 49th St. 246-0220. Nightly, except Sundays, at 8; opening-night curtain at 6:45. Matinées Wednesdays and Saturdays at 2.)

Your Arms Too Short to Box with God—Patti LaBelle and Al Green in a revival of the musical taken from the Book of Matthew by Vinnette Carroll, who also directed. The music and lyrics are by Alex Bradford and Micki Grant. (Alvin, 250 W. 52nd St. 757-8646. Wednesdays through Saturdays at 8, and Sundays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3. Closes Sunday, Oct. 31.)

Long Runs—**AMADEUS:** A highly intelligent Peter Shaffer thriller having to do, on one level, with the possibility that Mozart's early death was a result of his having been poisoned by a rival and, on another level, with that rival's indignant repudiation of God. Frank Langella plays the villainous putative murderer, Antonio Salieri; Dennis Boutsikaris plays the hapless Mozart; and Suzanne Lederer plays his pretty, perky wife. (Broadhurst, 235 W. 44th St. 239-6200. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **ANNIE:** A long musical derived from the celebrated comic-strip characters Little Orphan Annie and Daddy Warbucks. With June Havoc as an alcoholic scold. (Uris, 51st St. west of Broadway. 586-6510. Wednesdays through Fridays at 8, and Saturdays and Sundays at 6:45. Matinées Wednesdays, Saturdays, and Sundays at 2.) . . . **A CHORUS LINE:** A group of young dancers audition for a handful of chorus jobs in a show not yet in rehearsal, and by the time the evening is over we know everything about all of them. (Shubert, 225 W. 44th St. 239-6200. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **CLOUD 9:** Caryl Churchill's comedy about the "confusion" of sexuality —first in a British outpost in Africa in 1880 and then in a park in London in 1980—is a witty and original work that adds a measure of confusion all its own. It is very well performed under Tommy Tune's brilliant direction. (Lucille Lortel Theatre, 121 Christopher St. 924-8782. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7. Matinées Sundays at 3.) . . . **CRIMES OF THE HEART:** The events that befall an unhappy family in a small town in Mississippi give a remarkable young playwright, Beth Henley, a chance to write a succession of highly comic scenes. (Golden, 252 W. 45th St. 239-6200. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **DREAMGIRLS:** The slickest possible production of a musical comedy whose book, music, and lyrics are almost totally lacking in character. If Michael Bennett, the director, had been a Union general, the Civil War would have lasted about twenty minutes. (Imperial, 249 W. 45th St. 239-6200. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.) . . . **EVITA:** A sentimental musical about the life and death of Eva Perón. An excellent cast and a stylish production, but Eva remains a very peculiar choice for a heroine. (Broadway Theatre, Broadway at 53rd St. 239-6200. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **THE FANTASTICKS:** 9,336 performances so far. (Sullivan Street Playhouse, 181 Sullivan St., at Bleecker St. 674-3838. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.) . . . **42ND STREET:** Once upon a time there was a silly-wonderful Warner Brothers musical about a young hoofer who goes on in place of a disabled star and herself becomes a star overnight. The legitimate musical that has been fashioned from the movie musical is just as silly but by no means as wonderful. With Jerry Orbach, Millicent Martin, and Lisa Brown. (Majestic, 245 W. 44th St. 246-0730. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.) . . . **JOSEPH AND THE AMAZING TECHNICOLOR DREAMCOAT:** Allen Fawcett heads the cast of a musical derived from the Old Testament story. Andrew Lloyd Webber composed the score and Tim Rice wrote the lyrics. (Royale, 242 W. 45th St. 239-6200. Tuesdays through Saturdays at 8:15. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **OH! CALCUTTA!:** A collection of short sketches that purport to give us a refreshing view of sex and do not. (Edison, 240 W. 47th St. 757-7164. Mondays through Wednesdays, and Fridays, at 8; Saturdays at 7 and 9:30; and Sundays at 7. Matinées Sundays at 3.) . . . **ONE MO' TIME:** A sunny salute to the good old days of black vaudeville, in good old N'Orleans. Vernel Bagneris is the clever inventor of this oddity. Dick Vance plays trumpet in the accompanying jazz band. (Village Gate, 160 Bleecker St. 473-7270. Tuesdays through Fridays at 8; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.) . . . **THE PIRATES OF PENZANCE:** Wally Kurth, Maureen McGovern, Marsha Bagwell, Peter Noone, George Rose, and Tony Azito in a lively takeoff of the everlasting original. The director, Wilford Leach, has spruced up—some would say "roughed up"—Gilbert and Sullivan, making them more coarsely clownish than they would have wished to be. (Minskoff, 45th St. west of Broadway. 869-0550. Tuesdays through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **PUMP BOYS AND DINETTES:** A thoroughly engaging and spirited little cabaret musical, set in a gas station with diner attached, somewhere in the South. Most of the appealing songs were written by Jim Wann or by his wife, Cass Morgan. Ronee Blakley and Loudon Wainright III have joined the cast. (Princess, Broadwa at 48th St. 586-3903. Tuesdays through Saturdays, except Thursday, Oct. 7, at 8. Matinées Wednesdays and Saturdays at 2; specia matinées Sunday and Monday, Oct. 10-11, a 3.) . . . **SISTER MARY IGNATIUS EXPLAINS IT ALL FO YOU** and **THE ACTOR'S NIGHTMARE:** "Sister Ignatius," the second of Christopher Durang' brace of one-acters, is a scathing satire o Catholic education: a crazy nun verball molests her small pupils until she is given he comeuppance by four visiting alumni. In th curtain-raiser, "The Actor's Nightmare," businessman dreams that he is on a stage an forced to perform, giving rise to a cluster c shrewd parodies of respected playwrights Everyone in the company does very wel Nancy Marchand is the nun, and Jeff Brook is the actor-in-spite-of-himself. (Westsid Arts, 407 W. 43rd St. 541-8394. Tuesday through Fridays at 8; Saturdays at 7 and 10 and Sundays at 7. Matinées Sundays a 3.) . . . **A SOLDIER'S PLAY:** The Negro Ensembl Company production of Charles Fuller's gripping drama about an investigation into th shooting of a black sergeant at an Arm camp in Louisiana in 1944. The performances by all members of the company ar excellent, under Douglas Turner Ward's direction. (Theatre Four, 424 W. 55th St. 246 8545. Tuesdays through Fridays at 8; Saturdays at 8:30; and Sundays at 7. Matinées Saturdays at 3 and Sundays at 2:30.) . . **SOPHISTICATED LADIES:** Maurice Hines and half dozen fellow-dancers and singers make thei way at breakneck speed through some thirty five Duke Ellington numbers. A very slick production, though the great Duke himsel seems oddly absent from his own party (Lunt-Fontanne, 205 W. 46th St. 586-5555 Tuesdays through Saturdays at 8. Matinée Wednesdays and Saturdays at 2, and Sundays at 3.) . . . **WOMAN OF THE YEAR:** Raque Welch heads the cast of this musical. The music and lyrics are by Kander and Ebb, and the direction is by Robert Moore. (Palace Broadway at 47th St. 757-2626. Tuesday through Saturdays at 8. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)



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MISCELLANY

Forbidden Broadway—A musical satire of Shuber Alley denizens. *The lyrics to the song parodie* are by Gerard Alessandrini. (Palsson's Upstairs, 158 W. 72nd St. 595-7400. Tuesday through Thursdays at 9; Fridays and Saturdays at 9 and midnight; and Sundays at 9.)

Peter Allen and the Rockettes—A single performance added to the recent engagement (Radio City Music Hall, Sixth Ave. at 50th St. 246-4600. Friday, Oct. 8, at 7:30.)

DANCE

Feld Ballet—Wednesday evening, Oct. 6, and Friday evening, Oct. 8: "The Consort," "Circa," and "A Footstep of Air." . . . ¶ Thursday evening, Oct. 7: "Excursions," "Over the Pavement," and "Play Bach." . . . ¶ Saturday evening, Oct. 9: "The Consort," "Straw Hearts" (première), and "Play Bach." . . . ¶ Sunday matinée, Oct. 10: "Excursions," "Circa," and "Play Bach." . . . ¶ Sunday evening, Oct. 10: "The Consort," "Over the Pavement," and "Straw Hearts." . . . ¶ Tuesday evening, Oct. 12: "Excursions," "Over the Pavement," and "A Footstep of Air." . . . ¶ Wednesday evening, Oct. 13: "Excursions," "Circa," and "Straw Hearts." . . . ¶ Thursday evening, Oct. 14: "The Consort," "Anatomic Balm," and "Play Bach." . . . ¶ Friday evening, Oct. 15: "Excursions," "Over the Pavement," and "Straw Hearts." . . . ¶ Saturday evening, Oct. 16: "Excursions," "Circa," and "A Footstep of Air." (Joyce Theatre, 175 Eighth Ave., at 19th St. 242-0800. Tuesdays through Saturdays at 8, and Sundays at 7:30. Matinées Sundays at 2. Through Sunday, Oct. 24.)

Nikolais Dance Theatre—Opening performances of a three-week engagement—Wednesday, Oct. 6, at 7; Thursday and Friday, Oct. 7-8, Wednesday, Oct. 13, and Saturday, Oct. 16, at 8: "Temple," "Tensile Involvement," "Crossfade," and "The Mechanical Organ II" (New York première). . . . ¶ Saturday, Oct. 9, Tuesday, Oct. 12, and Thursday and Friday, Oct. 14-15, at 8: "Pond" (New York première), "Noumenon," "Countdown," and "The Me-

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chanical Organ I." (City Center, 131 W. 55th St. 246-8989. Through Sunday, Oct. 24.)

Norwegian National Ballet—A one-week engagement of "The Tempest" (New York première). (Brooklyn Academy of Music, 30 Lafayette Ave. 636-4100. Tuesday and Wednesday, Oct. 12-13, at 7; Thursday and Friday, Oct. 14-15, at 8; Saturday, Oct. 16, at 2 and 8; and Sunday, Oct. 17, at 2.)

Ballet Rambert—Three performances by this company from England, appearing here for the first time. Friday, Oct. 15, at 8: "Pribaoutki," "Apollo Distraught," "Rainbow Ripples," and "Ghost Dances." . . . ¶ Saturday, Oct. 16, at 8: "Lonely Town, Lonely Street," Act II from "Berlin Requiem," "Apollo Distraught," and "Rainbow Ripples." . . . ¶ Sunday, Oct. 17, at 2: "Rite of Spring," "Lonely Town, Lonely Street," and "Ghost Dances." (Whitman Hall, Brooklyn College. 434-1900.)

Bertram Ross—A program consisting of five works for solo dancer. (Theatre of the Riverside Church, Riverside Dr. at 120th St. 864-2929. Wednesday, Oct. 6, and Friday, Oct. 8, at 8, and Sunday, Oct. 10, at 2.)

Molissa Fenley—Final performances of "Eureka," a full-length solo work. (Dance Theatre Workshop, 219 W. 19th St. 924-0077. Wednesday through Saturday, Oct. 6-9, at 8, and Sunday, Oct. 10, at 3.)

Ritha Devi—A program of new and classical dances of India. (Community Church of New York Assembly Hall, 40 E. 35th St. Saturday, Oct. 9, at 7:30.)

NIGHT LIFE

(A highly arbitrary listing, in which bold-face type is used to pick out a few of the more notable performers in town. . . . ¶ Musicians and night-club proprietors live complicated lives that are subject to last-minute change; it is therefore always advisable to call ahead.)

Angry Squire, 216 Seventh Ave., at 23rd St. (242-9066)—A convivial Chelsea bar and restaurant gussied up as a nautical pub. The four-foot-high bandstand is more likely to induce acrophobia than seasickness. Friday and Saturday, Oct. 8-9, the **hugh lawson** trio will occupy it; and on Friday and Saturday, Oct. 15-16, **jaki byard,** the simultaneously free and stride pianist, will be here with his trio. Sets at ten, eleven-thirty, and one.

Blue Note, 131 W. 3rd St., near Sixth Ave. (475-8592)—The School of New York Night-Club Décor, which favors industrial carpeting, stainless steel, and lots of mirrors, mirror tiles, and mirror panels, flourishes in this room. The back wall is graced with a four-color neon sign depicting a bridge (perhaps the Brooklyn) in red, the downtown skyline in blue, two stars in white, and a crescent moon in yellow. The **mingus dynasty band**—tenor saxophonist **clifford jordan,** pianist **jaki byard,** trombonist **jimmy knepper,** the rarely heard trumpeter **johnny coles,** bassist **reggie johnson,** drummer **kenny washington,** and trumpeter **randy brecker**—lovingly plays Mingus works through Sunday, Oct. 10; Monday, Oct. 11, will be allotted to Joan Cartwright; and starting Tuesday, Oct. 12, the master, **dizzy gillespie,** will take charge. There are usually three sets, beginning at nine-thirty.

Bottom Line, 15 W. 4th St., at Mercer St. (228-6300)—Unchallenged in its sensible, efficient seating (there are tables and chairs for four hundred) and its liberal musical tastes, and what's more, the shows usually begin on time. The varied schedule: Thursday, Oct. 7, rap king **kurtis blow** and the R. & B.-flavored **uptown horns;** Friday and Saturday, Oct. 8-9, Latin-jazz flutist **dave valentin;** Sunday, Oct. 10, bassist **teruo nakamura & the rising sun;** Monday, Oct. 11, George Winston, Alex DeGrassi, Scott Cossu, and Michael Hedges; Wednesday, Oct. 13, Jeff Lorber's Fusion; and Thursday through Saturday, Oct. 14-16, Patti LuPone. Shows Sundays through Thursdays at eight-thirty and eleven-thirty, and Fridays and Saturdays at nine and midnight. Dining.

Bradley's, 70 University Pl., at 11th St. (228-6440)—Still panelled with dark-stained pine, highlighted with Photo-Realist portraits, and inhabited by professional conversationalists, who often take a break and listen to the worthwhile music. (A profile of the proprietor, Bradley Cunningham, appears on p. 52.) The worthwhile musicians: pianist **fred hersch** and bassist **george mraz** through Saturday, Oct. 9; and pianist **hilton ruiz** and bassist **major holley** *starting* Monday, Oct. 11. Music from nine-forty-five. Dining.

Broadway Joe's, 315 W. 46th St., near Eighth Ave. (246-6513)—The urbanely swinging **jimmy lyon,** who plays piano until ten in Peacock Alley at the Waldorf, a large, *very* subdued room, comes to this convivial, buzzing, smallish barroom, where he gets an impressive second wind. He's here from ten-thirty to two Fridays and Saturdays. Dining.

Café Pierre, in the Pierre Hotel, Fifth Ave. at 61st St. (838-8000)—**bucky pizzarelli,** who occasionally lets loose on hot-chord solos on his resonant seven-string (the seventh string is a bass string) guitar, guides a trio Tuesdays through Saturdays from nine to one. Dining and dancing.

Carlyle Hotel, Madison Ave. at 76th St. (744-1600)—The Café Carlyle presents pop pianist Peter Nero through Saturday, Oct. 9, and **joe bushkin,** the swing pianist from the past, beginning Tuesday, Oct. 12. Shows at ten and midnight. . . . ¶ In the Bemelmans Bar, **barbara carroll** is at the piano nightly, except Sundays, from nine. Dining.

Carnegie Tavern, 165 W. 56th St. (757-9522)—A bar and restaurant painted the color of Vienna-roast coffee beans. **ellis larkins,** the demure, elegant pianist who in the past has accompanied Joe Williams, Helen Humes, Ella Fitzgerald, Sylvia Syms, and many other singers, is the star here. He appears nightly, except Sundays, from nine to midnight.

CBGB & OMFUG, 315 Bowery, at Bleecker St. (982-4052)—The Bowery Institute of Rock and Roll. Wednesday, Oct. 6, the Cartoons, Tennessee Pedestrians, Seymour & the Organism, and Normal Men; Thursday, Oct. 7, the Pə-dant-iks, Syntax Error, Fear of Strangers (formerly the Units), and Bop Apocalypse; Friday and Saturday, Oct. 8-9, and Sunday, Oct. 10, at four-thirty, **richard hell;** Tuesday, Oct. 12, New Betty and Accent on Travel; Thursday, Oct. 14, Kammer Musik, His Master's Voice, and Mod I. Q.; Friday, Oct. 15, guitarist **rhys chatham,** Soviet Sex, and Deep Six; and Saturday, Oct. 16, the Rattlers, the Roustabouts, and Id. Monday is showcase night. Music from long after nine-thirty.

City Limits, 125 Seventh Ave. S., at 10th St. (243-2242)—When the stars at night are big and bright, you can wear your cowboy boots; when it's raining you can wear your cowboy galoshes. Various lively, well-miked country-and-Western bands are booked to play here for listening and dancing nightly after ten.

Cookery, 21 University Pl., at 8th St. (674-4450)—**alberta hunter,** who sings the blues, chants the blues, calls the blues, talks the blues, and writes the blues, also sings "Let the Rest of the World Go By," "Somebody Loves Me," and a beautifully slow version of "The Glory of Love." She's backed up by **vishnu wood** on bass and Gerald Cook on piano Wednesdays through Saturdays at nine and eleven-fifteen. Sundays through Tuesdays *belong to singer and bassist* **arvell shaw's** trio. Shows at nine and eleven. Dining.

Eagle Tavern, 355 W. 14th St., at Ninth Ave. (924-0275)—Bluegrass, string-band, and Irish, British, and American folk music made by visiting players from New England, the Eastern seaboard, and Appalachia is the fare, along with pitchers of beer. Wednesday, Oct. 6, the **irish tradition;** Thursday, Oct. 7, the Gridlock String Band; Saturday, Oct. 9, Out to Lunch; Wednesday, Oct. 13, Bill Ochs; Thursday, Oct. 14, Danny Weiss, Barry Mitterhoff, and Larry Cohen; and Saturday, Oct. 16, the Cranberry Lake Jug Band. Music Wednesdays at eight-thirty, Thursdays at eight-fifteen, and Saturdays at nine.

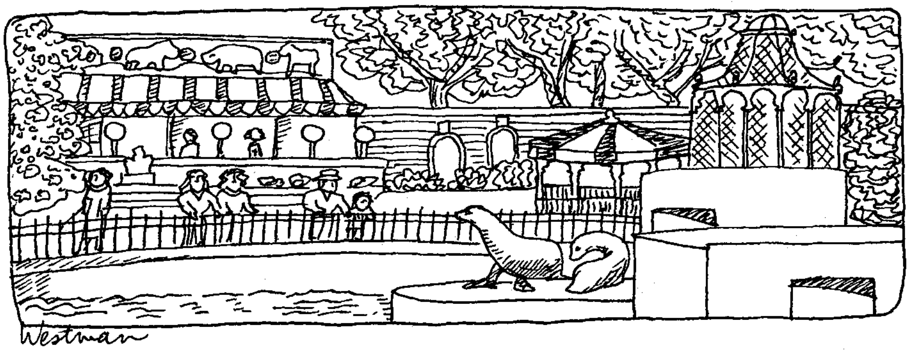
Eddie Condon's, 144 W. 54th St. (265-8277)—One of the two homes for traditional small-band jazz on the block (see also Jimmy Ryan's below). The house band works out nightly, except Sundays, from eight-thirty to two; Wednesdays other combos play from five-thirty to eight-thirty. On Sunday, Oct. 10, trumpeter **waymon reed** will bring in a quintet that will feature tenor saxophonist and flutist **frank wess;** music that night from about nine-thirty. Mondays are now given over to soprano saxophonist **bob wilber** and his band, the **bechet legacy.** Dining.

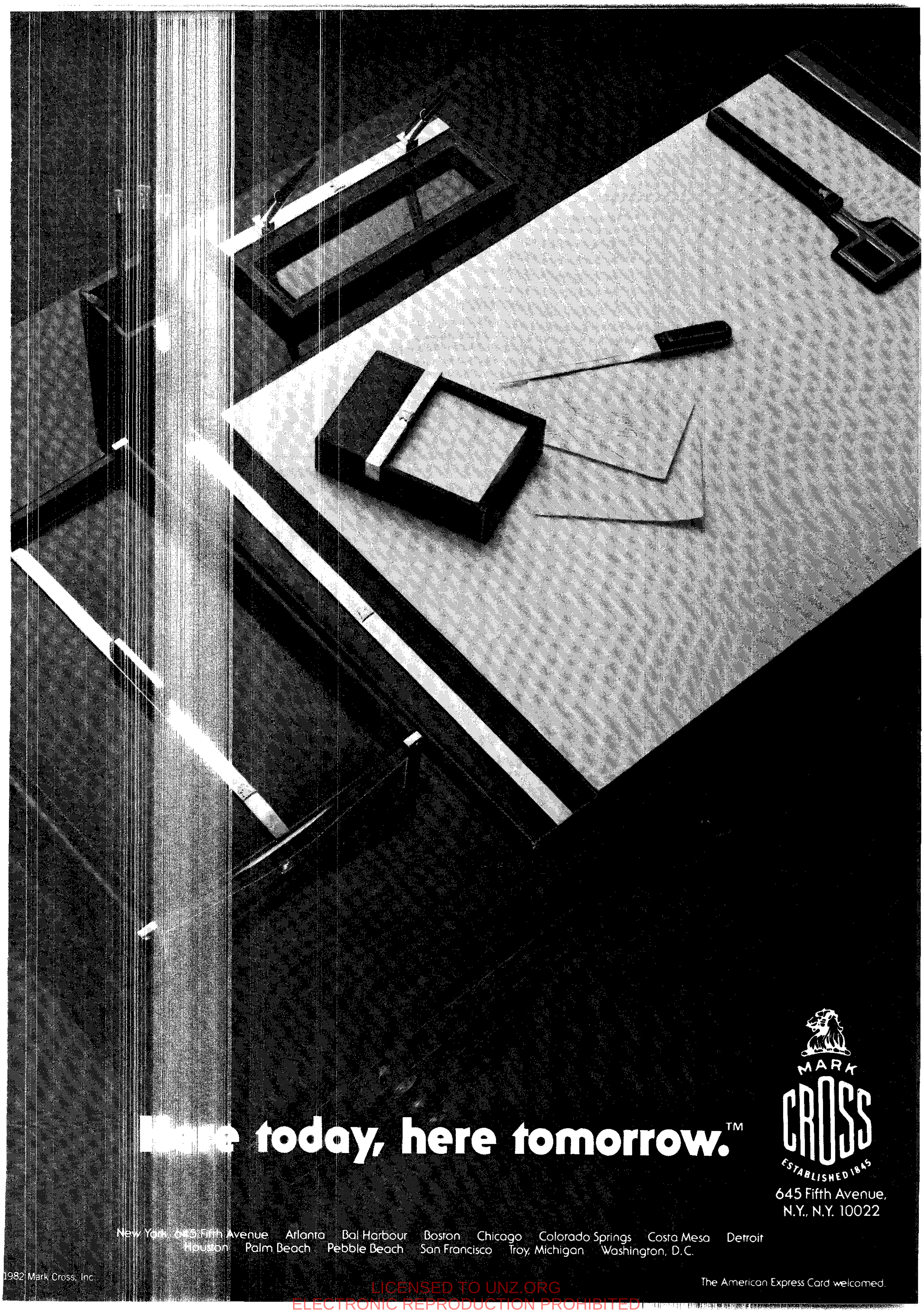
Fat Tuesday's, 190 Third Ave., at 17th St. (533-7902)—A sleek, well-attended, basement jazz club. The **stan getz** quartet is in the midst of a two-week stint. The first set begins about nine. Dining. Closed Mondays.

Folk City, 130 W. 3rd St., near Sixth Ave. (254-8449)—Considerably more musical than Tie City or Food City: Wednesday, Oct. 6, Mark Black and Adrienne Garrett; Thursday, Oct. 7, Arms Akimbo; Friday and Saturday, Oct. 8-9, the Verrazano Narrows cowboy and sleepy, alpha-wave monologist **jack elliott** and folk rocker **bob neuwirth;** Sunday, Oct. 10, the Floor Models; Tuesday, Oct. 12, the Press; Friday, Oct. 15, Jesse Winchester; and Saturday, Oct. 16, Frank Christian. Two shows—the first one getting under way about nine—every night but Monday, which is hootenanny night and begins at eight.

Greene Street, 101 Greene St., near Prince St. (925-2415)—A sort of indoor *piazza del popolo* for SoHo tourists and the *popolo* who can afford to live there. There are brick walls and archways, lots of vegetation (in pots), wicker furniture, and balcony vistas. The schedule: Carmen Lundy sings jazz tunes and standards through Saturday, Oct. 9; on Monday, Oct. 11, bassist **bob cunningham** and pianist **bross townsend** jam with violinist Bernie Charles; and on Tuesday, Oct. 12, singer Jann Parker will come in. Sundays are given over to singer, pianist, and composer **andy bey.** Sets begin Sundays through Thursdays at ten and eleven-thirty, and Fridays and Saturdays at nine, eleven, and one. Dining.

Gregory's, 1149 First Ave., at 63rd St. (371-2220)—Scott Hardy, Harris Simon, Steve Alcott, and Alicia Sherman perform together through Sunday, Oct. 10; Wednesday through Sunday, Oct. 13-17, guitarist **attila zoller,** one of the best-kept secrets in jazz, will head a quartet. On Mondays and Tuesdays, guitarist **chuck wayne** heads up a trio. These groups play from ten. On Sundays, pianist





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and singer **BROOKS KERR** dips into his repertoire of Ellington and stride-piano numbers.

Griff's, Third Ave. at 37th St. (867-7179)—An open-air terrace wraps around this second-story restaurant. The inside is pleasant and modern and warmer. Pianist **HILTON RUIZ** and buzzing bassist **MAJOR HOLLEY** work here through Saturday, Oct. 9; and starting Tuesday, Oct. 12, pianist Esther Blue will head up a trio. Sets begin at nine. Sundays and Mondays, **NINA SHELDON** sings and plays piano from seven until eleven.

Hanratty's, 1754 Second Ave., at 91st St. (289-3200)—An East Side counterpart of a well-known arty upper West Side bar and restaurant of the same name. **ALBERT DAILEY** can be found at the dining-room grand through Saturday, Oct. 9; on Tuesday, Oct. 12, John Eaton will take over the keyboard. Music Tuesdays through Thursdays from eight-thirty and Fridays and Saturdays from nine.

Jazzmania Society, 40 W. 27th St. (532-7666)—A big, airy space with tables and chairs, couches, and a diminutive bar. Friday and Saturday, Oct. 8-9, will belong to clarinettist **PERRY ROBINSON;** and Friday and Saturday, Oct. 15-16, to electric hard-bop pianist **MICKEY TUCKER** and his sextet. The music begins at nine.

Jimmy Ryan's, 154 W. 54th St. (664-9700)—This club and Eddie Condon's, just a tiddledy-wink's hop east, demarcate a little slice of what West 52nd Street—now labelled Swing Street for tourists but known in earlier times to the initiated as simply The Street—was like thirty, forty, and more years ago, when it was swing and bebop world headquarters and rows of town houses housed jazz clubs. The two present-day 54th Street establishments cling strongly to traditional jazz. Ryan's house band, led by trumpeter Spanky Davis, lets loose Tuesdays through Saturdays. On Mondays, **MAX KAMINSKY** is in charge. Music weeknights from nine-thirty to three. On Sundays, Kaminsky directs another group of musical archivists from eight until two.

Knickerbocker Saloon, 33 University Pl., at 9th St. (228-8490)—A pleasant corner restaurant and bar that is crowded with good listeners, and for good musical reasons. **JOHN HICKS** is at the piano and **WALTER BOOKER** is at his bass through Saturday, Oct. 9; **LOU LEVY** and **BILL TAKAS** will be the relief men starting Tuesday, Oct. 12. The Sunday-and-Monday piano-bass duties are in the hands of **FRED HERSCH** and **MARC JOHNSON.** Music from ten.

Lone Star Café, 61 Fifth Ave., at 13th St. (242-1664)—An authentic Texas hangout for ex-patriate Texans, for New Yorkers, and for French tourists. The music is usually good solid blues, rock, folk, or country, and it starts after eight-thirty. Part of the schedule: Wednesday and Thursday, Oct. 6-7, ex-Byrd **ROGER MC GUINN;** Sunday, Oct. 10, the Road Ducks and the Tennessee Pedestrians; Monday, Oct. 11, singer Ronee Blakley; Tuesday and Wednesday, Oct. 12-13, rockabilly singer Robert Gordon. Dining.

Lush Life, 184 Thompson St., at Bleecker St. (228-3788)—A sure-thing jazz lineup: Wednesday and Thursday, Oct. 6-7, pianist **STEVE KUHN** and vocalist **SHEILA JORDAN** and their close-knit quartet; Friday and Saturday, Oct. 8-9, vibraharpist **GARY BURTON'S** quartet; Monday, Oct. 11, pianist **ANTHONY DAVIS** and a quintet; and beginning Tuesday, Oct. 12, **OLD & NEW DREAMS,** an Ornette Coleman alumni quartet made up of pocket trumpeter **DON CHERRY,** bassist **CHARLIE HADEN,** saxophonist **DEWEY REDMAN,** and drummer **ED BLACKWELL.** On Sundays, drummer **PETE LA ROCA SIMS** is in charge of a sextet that features **CARTER JEFFERSON** and **DAVE LIEBMAN** on reeds and **KENNY BARRON** on piano. Sets begin at nine-thirty nightly. Dining.

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Marty's, 1265 Third Ave., at 73rd St. (249-4100)—**MEL TORMÉ** in a club—but only through Saturday, Oct. 9. On Monday, Oct. 11, **VIC DAMONE** will move into this singer's room. Shows Mondays through Thursdays at nine and eleven, and Fridays and Saturdays at ten and midnight. Dining.

Michael's Pub, 211 E. 55th St. (758-2272)—**MARGARET WHITING,** who can belt out a song with authenticity, is currently paying tribute to Ethel Merman. Shows begin at nine-thirty and eleven-thirty. On Monday nights from nine to midnight, the New Orleans Funeral and Ragtime Band occupies the bandstand. Dining. Closed Sundays.

Mikell's, 760 Columbus Ave., at 97th St. (864-8832)—The hippest spot on Columbus Avenue, contrary to popular belief, is not known for its lemon sherbet with hot fudge sauce; it is known for the R. & B. and jazz bands that have been performing here for the good part of a decade. The partial schedule: Wednesday, Oct. 6, Thom Rotella; Friday and Saturday, Oct. 8-9, soul singer **CISSY HOUSTON.** Music from about ten until two. Dining.

Other End, 149 Bleecker St. (673-7030)—Folk, blues, rock, and jazz in an intimate room that has fine sight lines to the stage. Wednesday, Oct. 6, Mickol Hess and the Starters; Thursday, Oct. 7, the Pedestrians; Friday and Saturday, Oct. 8-9, singer **KENNY RANKIN;** Tuesday, Oct. 12, comic Dennis Blair; Wednesday, Oct. 13, Sherry Winston and Plan B; Thursday, Oct. 14, John Bayley; and Friday and Saturday, Oct. 15-16, Robert Hunter. Shows at nine-thirty and midnight. Sundays, R. & B. saxophonist **DENNY MOROUSE** heads a jam session from about ten. Mondays, a talent showcase begins at eight-thirty. Dining and dancing.

Peacock Alley, in the Waldorf-Astoria, Park Ave. at 49th St. (355-3000)—**JIMMY LYON** is playing piano in this quiet room, which functions as a sort of passageway connecting the hotel lobby with a dining room. Mr. Lyon, who has accompanied Mabel Mercer throughout the past decade, has a touch that seems magically smooth and cushioned, and his timing is unassailable. He's on hand Tuesdays through Saturdays from six to ten.

Peppermint Lounge, 100 Fifth Ave., at 15th St. (989-9505)—A multilevel rock-and-roll haunt. Wednesday, Oct. 6, the Brains; Thursday, Oct. 7, rock poet Jim Carroll; Friday, Oct. 8, the **FLESHTONES** and R.E.M.; Tuesday, Oct. 12, **MONGO SANTAMARIA;** Thursday, Oct. 14, **IGGY POP.** Live music from about eleven-thirty. Closed Sundays.

Rainbow Room, 30 Rockefeller Plaza. (757-9090)—**SY OLIVER** and his bouncy dance orchestra are on the bandstand Tuesdays through Thursdays from seven to one, Fridays and Saturdays from eight to two, and Sundays from six to midnight. Dining and dancing.

Red Blazer Too, 1576 Third Ave., at 88th St. (876-0440)—A sort of big, bustling rec room with walnutty Masonite panelling, globe lights, ice-cream-parlor curled-cast-iron chairs, red tablecloths, and traditional-jazz bands every night of the week. The music begins at seven on Sundays and at nine the rest of the time. Dining.

Ritz, 119 E. 11th St. (254-2800)—A ballroom that dates from 1935, when the building was remodelled—the building itself dates from 1889—to accommodate neighborhood social-club dances. It has been turned into a sort of Avalon Ballroom East. Rock from the fifties, sixties, seventies, and eighties. Wednesday and Thursday, Oct. 6-7, **GANG OF FOUR;** Friday and Saturday, Oct. 8-9, Robert Gordon; Monday, Oct. 11, the Swinging Madisons; Wednesday, Oct. 13, the Joe Perry Project; Friday, Oct. 15, the Rockats; and Saturday, Oct. 16, **ALAN VEGA.** Shows tend to begin sometime after midnight. Dancing.

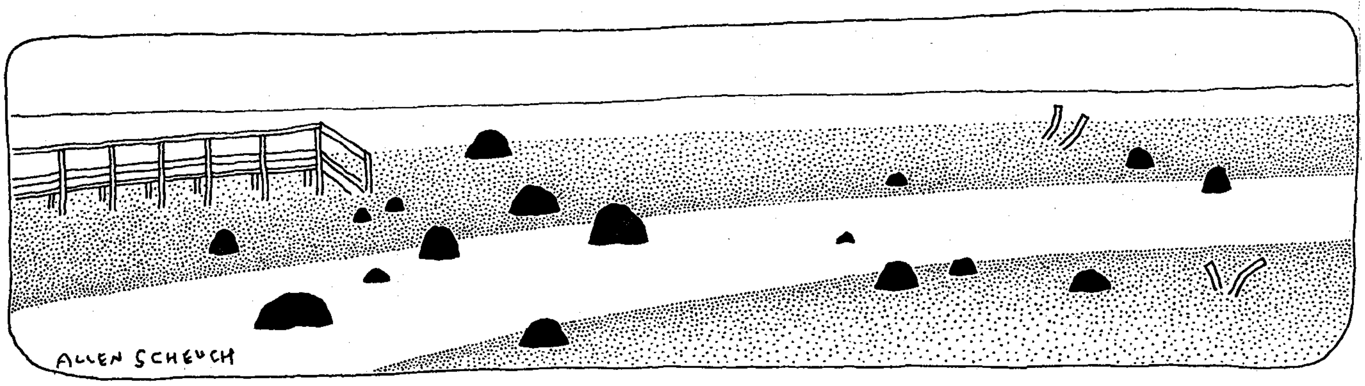
Seventh Avenue South, 21 Seventh Ave. S., at Leroy St. (242-4694)—A second-floor jazz club in which most of the walls are refreshingly austere. Much of the music is amplified jazz-rock, and it runs from nine-thirty. The players: Wednesday, Oct. 6, pianist **PHIL MARKOWITZ;** Thursday through Sunday, Oct. 7-10, **SLIDE HAMPTON'S WORLD OF TROMBONES;** Monday, Oct. 11, Lynn Welshman's tentet; Tuesday, Oct. 12, Ed Palermo's big band; Wednesday, Oct. 13, Bush Rock; and starting Thursday, Oct. 14, the **WORLD SAXOPHONE QUARTET—JULIUS HEMPHILL** and **OLIVER LAKE** on altos and **DAVID MURRAY** and **HAMIET BLUIETT** on baritones.

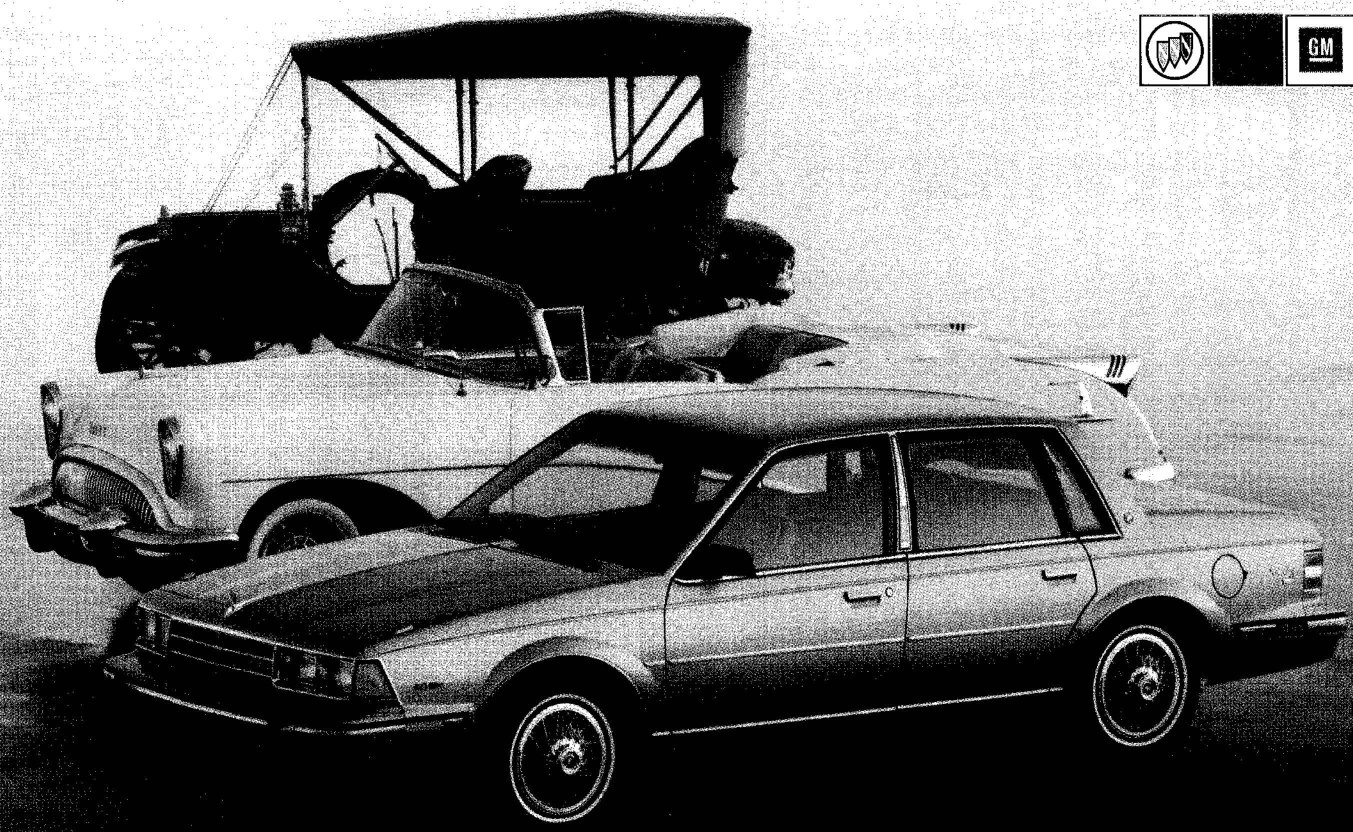
Sounds of Brazil, 204 Varick St., at W. Houston St. (243-4940)—Not much to look at, this very new club, a reformed luncheonette (or a lapsed luncheonette, depending on your attitude toward night clubs and luncheonettes) is a great place to listen to Brazilian music—Brazilian-jazz groups, samba bands, and all-percussion ensembles that perform *carnaval* music—and it tends to be swirling, heady, wonderful stuff. The schedule: Wednesdays, **LOREMIL MACHADO & THE SARAVA BAHIA BAND;** Thursdays, Brasil 2000; and Fridays and Saturdays, **PÉ-DE-BOI.** On Sunday, Oct. 10, flutist **JEREMY STEIG** will lead a quartet, and on Tuesday, Oct. 12, Marcos Silva will be here with his band, Steps of the Imagination, a Brazilian-jazz-fusion outfit. Music from ten. Dining. Closed Mondays.

Sweet Basil, 88 Seventh Ave. S., at Bleecker St. (242-1785)—A bustling knotty-pine room. **SONNY FORTUNE,** the driving, hard-edged alto saxophonist who can make you downright grateful for the age of the long, extended jazz solo, heads a quintet through Saturday, Oct. 9; and starting Tuesday, Oct. 12, drummer **LOUIS BELLSON** will be here with his band. Sundays are devoted to **THIAGO DE MELLO & AMAZON,** and Mondays to **HOWARD JOHNSON & GRAVITY,** a tuba-heavy ensemble. Shows from about ten. Dining.

Tramps, 125 E. 15th St., at Irving Pl. (777-5077)—**CHARLES BROWN,** the personable, sophisticated R. & B. singer and red-hot pianist, will be back at this club starting Wednesday, Oct. 13. The music begins about nine. Closed through Tuesday, Oct. 12.

Trax, 100 W. 72nd St., near Columbus Ave.





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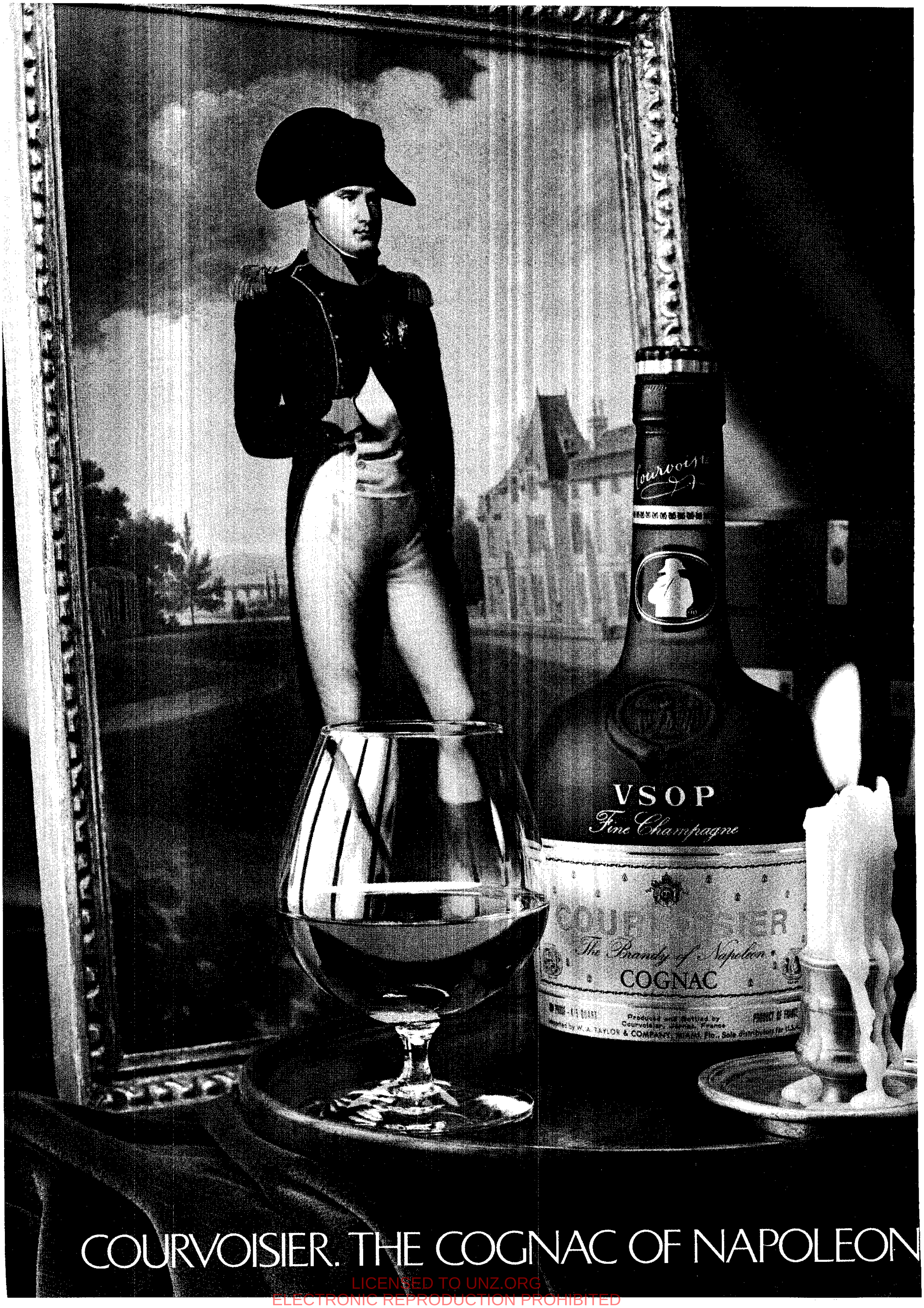
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GOINGS ON ABOUT TOWN

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(799-1448)—Rock and roll downstairs. The understated entrance is easy to miss. The lineup: Wednesday, Oct. 6, the Mitchell Lewis band and Feelines; Thursday, Oct. 7, Vivian Cherry and Knucklehead Smith; Friday, Oct. 8, Neon and Miller, Miller, Miller & Sloan; Saturday, Oct. 9, the Teenagers; Tuesday, Oct. 12, Mrozinski and Lina Koutrakos; Wednesday, Oct. 13, Armed Forces and Ernie & the Imports; Thursday, Oct. 14, Masterpiece and Exhibit A; Friday, Oct. 15, the James Montgomery Band and the **UPTOWN HORNS;** and Saturday, Oct. 16, Park Rowe and Felony. Music after eleven, usually. Dancing. Closed Sundays.

Village Gate, 160 Bleecker St. (475-5120)—Mondays are nights of salsa music in the big, barnlike downstairs room after nine. On Oct. 11, **TITO PUENTE** and his Latin-Jazz Ensemble, Roberto Roena and Adalberto Santiago, and a guest jazz soloist, vibraharpist **WARREN CHIASSON,** will all be present. Friday, Oct. 15, will be an all-trombone evening with **SLIDE HAMPTON'S** band, beginning at ten-thirty. On Tuesdays, jazz harpist **DAPHNE HELLMAN** plays from nine on the Terrace.

Village Vanguard, 178 Seventh Ave. S., at 11th St. (255-4037)—Proprietor and author ("Live at the Village Vanguard") Max Gordon once described this world-famous basement club in a radio interview: "It's a good joint that people like to come to—thank God." Alto saxophonist **PHIL WOODS** and his quartet wind up their stay on Sunday, Oct. 10; on Tuesday, Oct. 12, tenor saxophonist **JOHNNY GRIFFIN** will come steaming through with his quartet. Mondays, the **MEL LEWIS** big band blasts off. Music from ten.

Village West, 577 Hudson St., near Bank St. (691-2791)—A tile floor, a pressed-tin ceiling, and brick walls—all the makings for bright acoustics. **CARRIE SMITH** sings here with her backing crew through Sunday, Oct. 10; on Tuesday, Oct. 12, pianist **TEDDY WILSON,** who did wonders for Benny Goodman and Billie Holiday and who is still quite wonderful, will move in. Sets begin at nine-thirty Sundays and Tuesdays through Thursdays, and at ten Fridays and Saturdays. Dining. No music Mondays.

West Boondock, 114 Tenth Ave., at 17th St. (929-9645)—A dark, extremely likable, out-of-the-way soul-food place with things—hundreds, possibly thousands of iciclelike glass drops (the kind that are usually part of chandeliers) and a handful of opaque-glass lighting fixtures from the twenties—hanging from the ceiling. Mondays through Wednesdays, Esther Blue is the pianist. Thursdays through Sundays, Kuni Mikami has the floor. Music from eight-thirty to two.

West End, 2911 Broadway, at 113th St. (666-8750)—Past the steam tables of piping-hot student food, beyond the pinball machines is a room full of mostly swing music. Pianist **DICK KATZ,** alto saxophonist **LEE KONITZ,** and a quintet perform Thelonious Monk compositions through Sunday, Oct. 10; Monday through Thursday, Oct. 11-14, will belong to Lennie Tristano disciples pianist **CONNIE CRUTHERS** and saxophonist **LENNY POPKIN;** Friday, Oct. 15, guitarist Mike Peters and his group will perform hot jazz; and Saturday and Sunday, Oct. 16-17, bassist **AARON BELL'S** band will be on the stand playing an Ellington repertoire. Music from about nine.

Zinno, 126 W. 13th St. (924-5182)—A spacious, airy bar connected to a spacious, airy dining room by a spacious, airy passageway with tables and chairs and jazz musicians in it. Three fine piano-bass duos: **JOHN BUNCH** and **PHIL FLANIGAN** through Saturday, Oct. 9; **RONNIE MATHEWS** and **RAY DRUMMOND** on Sunday, Oct. 10; and **MIKE ABENE** and **MICHAEL MOORE** beginning Monday, Oct. 11. Music Mondays through Saturdays from nine-thirty and Sundays from eight-thirty.

JAZZ / FOLK / ROCK CONCERTS, PERSONAL APPEARANCES, ETC.

Highlights in Jazz—The Marian McPartland trio, the Jimmy McPartland Jazz Stars, and Susannah McCorkle. (Eisner and Lubin Auditorium, Loeb Student Center, Washington Sq. S. and LaGuardia Pl. 598-3757. Wednesday, Oct. 6, at 8.)

Kevin Burke and Jackie Daly—Alternative Museum, 17 White St., three blocks south of Canal St., at Sixth Ave. 966-4444. Thursday, Oct. 7, at 8.

Van Halen—Madison Square Garden. 564-4400. Friday, Oct. 8, at 8.

All Nite Soul—The thirteenth annual twelve-hour jazz marathon, with Ed Summerlin, L. D. Frazier, Josephine Lavotti, and others. (St. Peter's Church, Lexington Ave. at 54th St. 935-2200. Sunday, Oct. 10, beginning at 5.)

Improvisational Jazz Concert—With Warren Smith, Julius Hemphill, Abdul Wadud, James (Blood) Ulmer, Hamiet Bluiett, Stanton Davis, and others. (Town Hall, 123 W. 43rd St. 840-2824. Monday, Oct. 11, at 8.)

Jazz Forum—Jazz in a fifth-floor loft. Wednesdays at 10 and midnight: Charli Persip & Superband. . . . ¶ Thursday through Saturday, Oct. 7-9, at 10, 11:30, and 1: Kenny Barron and Tommy Flanagan, with Ron Carter and Ben Riley. . . . ¶ Sunday, Oct. 10, at 6 and 8: Jimmy Madison band. . . . ¶ Sunday, Oct. 10, at 10 and midnight: Jaki Byard. . . . ¶ Thursday, Oct. 14, at 10, 11:30, and 1: Vernel Fournier trio. . . . ¶ Friday and Saturday, Oct. 15-16, at 10, 11:30, and 1: Clifford Jordan and the Chicago All-Stars. (Jazz Forum, 648 Broadway, at Bleecker St. 477-2655.)

Soundscape—New music and jazz in another fifth-floor loft. Friday and Saturday, Oct. 8-9: Roswell Rudd and the Flexible Flyers, with Beaver Harris, Sheila Jordan, and others. . . . ¶ Friday, Oct. 15: Yomo Toro. . . . ¶ Saturday, Oct. 16: Double Exchange, with Jamaaladeen Tacuma, Cornell Rochester, and guest Olu Dara. (Soundscape, 500 W. 52nd St. 581-7032. Evenings at 9.)

ART

(Unless otherwise noted, galleries are open Tuesdays through Saturdays from around 10 or 11 to between 5 and 6.)

GALLERIES—UPTOWN

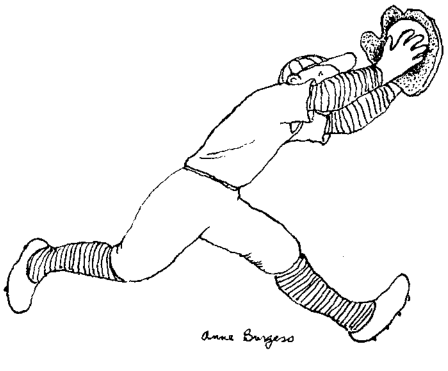
Darrel Austin—A retrospective of oils and works on paper, which frequently depict a fantasy world inhabited by reclining animals and spectral figures illuminated, apparently, by fox fire. Through Saturday, Oct. 16. (Perls, 1016 Madison Ave., at 78th St.)

Walter Darby Bannard—Color-field paintings—overlapping waves of gel and colorful acrylic laid on with a squeegee. Through Thursday, Oct. 14. (Knoedler, 19 E. 70th St.)

Tony Berlant—Found tin, cut out and nailed to plywood, is the basis for various constructions, including one that frames a portrait (dated 1953) of the artist. Through Saturday, Oct. 16. (Fourcade, 36 E. 75th St.)

Anne Blodgett—Recent landscapes, most of them showing ponds flecked with lily pads. Through Saturday, Oct. 16. (Bodley, 1063 Madison Ave., at 80th St.)

Clarence Carter—Architectural paintings with stairway structures predominating. Through Saturday, Oct. 9. (Gimpel, 1040 Madison Ave., at 79th St.)



Anne Burgess

Charles Demuth (1883-1935)—More than twenty watercolors, including fruit and flower still-lifes from the twenties, plus drawings and preparatory studies. Through Oct. 30. (Salander-O'Reilly, 22 E. 80th St. Open Mondays.)

Melvin Edwards—Welded-steel sculptures related to a work of his which was recently installed in an outdoor plaza in Columbus, Ohio. Through Oct. 26. (Sculpture Center, 167 E. 69th St.)

Raymond Han—Realist still-life paintings; first one-man show in New York. Through Oct. 27. (Schoelkopf, 825 Madison Ave., at 69th St.)

Julio Larraz—Oils, watercolors, and pastels by a Cuban realist. Through Saturday, Oct. 9. (Inter-American, 1000 Madison Ave., at 78th St.)

Lucy Mitchell / Chester Gould—Small, delicate collages and drawings by an artist who works on rice paper and silk. / Samples of his Dick Tracy comic strip, with some of its memorable characters (B. O. Plenty, Gravel Gertie). Through Saturday, Oct. 9. (Graham, 1014 Madison Ave., at 78th St.)

Helen Oji / Stan Singleton—Acrylic-and-Rhoplex paintings, most of them in relief. / Neo-Expressionist paintings. Through Oct. 30. (Knowlton, 19 E. 71st St. Opens at noon on Saturdays.)

Carl-Henning Pedersen—Watercolors from the sixties, shown now for the first time; many of them depict imaginary birds. Through Oct. 23. (Lefebre, 47 E. 77th St.)

Ralph Rosenborg—Abstract paintings based on imagined landscapes, some of them strongly influenced by Klee. The works are dated 1938-47. Through Oct. 30. (Schlesinger-Boisanté, 822 Madison Ave., at 69th St. Open Mondays.)

Joan Thorne—Abstract paintings done in copiously applied oils. Through Oct. 27. (Willard, 29 E. 72nd St.)

Bill Traylor (1854-1947)—Folk drawings by a black man who was born a slave in Alabama and began drawing at the age of eighty-five, using whatever scraps of paper and material he could find. Through Saturday, Oct. 9. (Vanderwoude Tananbaum, 24 E. 81st St.)

Max Weber (1881-1961)—Works in a variety of mediums (and from the various periods of the artist's career) which complement the Weber retrospective at the Jewish Museum. Through Nov. 4. (Forum, 1018 Madison Ave., at 79th St.)

Group Shows—At the **ACQUAVELLA,** 18 E. 79th St.: Three English artists showing in New York for the first time—George Dowson (still-lifes in oil), Anthony Hepworth (abstract paintings on paper, sculptures), and Melissa Scott-Miller (oils of dead game birds). Through Saturday, Oct. 16. . . . **CENTER FOR INTER-AMERICAN RELATIONS,** 680 Park Ave., at 68th St., and **KOUROS GALLERY,** 831 Madison Ave., at 69th St.: A joint show of paintings, collages, sculptures, and photographs by more than two dozen women artists from the United States, Canada, and Latin America. The more familiar names include Grace Hartigan, Lynda Benglis, Wendy Knox Leet, and Lilliana Porter. Through Oct. 17. (Center hours: Daily, except Mondays, noon to 6. Kouros hours: Tuesdays through Saturdays, 10 to 6.) . . . **DIAMOND,** 1014 Madison Ave., at 78th St.: Paintings by fifty-one American modernists working from 1909 to 1949. Alice Trumbull Mason, Ilya Bolotowsky, Arthur G. Dove, others. Through Nov. 13. . . . **HIRSCHL & ADLER,** 21 E. 70th St.: Paintings done in Britain from 1740-1840 by, among others, Sir Joshua Reynolds, Benjamin West, and J. M. W. Turner—joined by a small group of seventeenth-century Dutch landscapes, from which some of the members of the former group apparently took their cues. Through Nov. 6. . . . **MAZOH,** 13 E. 76th St.: Paintings, drawings, and sculptures by Rothko, Matisse, Twombly, and others. Through Oct. 22. (Open Mondays; closed Saturdays.) . . . **PAYSON-WEISBERG,** 822 Madison Ave., at 69th St.: Works on and of paper by Louise Nevelson, Henry Moore, and other twentieth-century artists known primarily as sculptors. Through Nov. 2. . . . **SABARSKY,** 987 Madison

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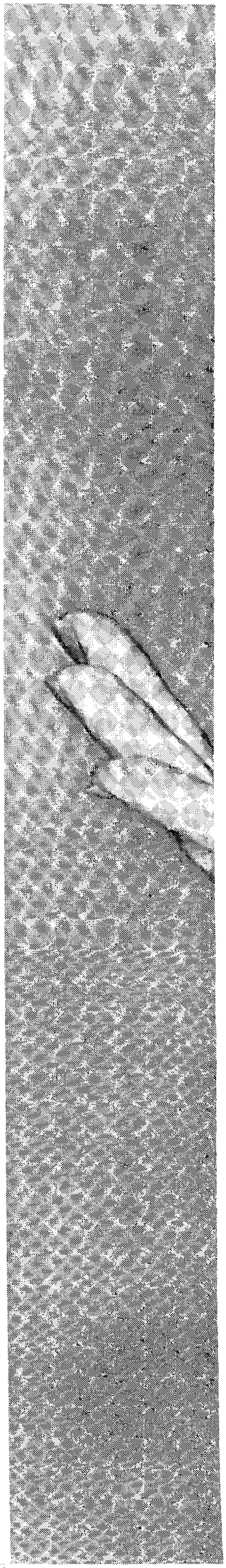

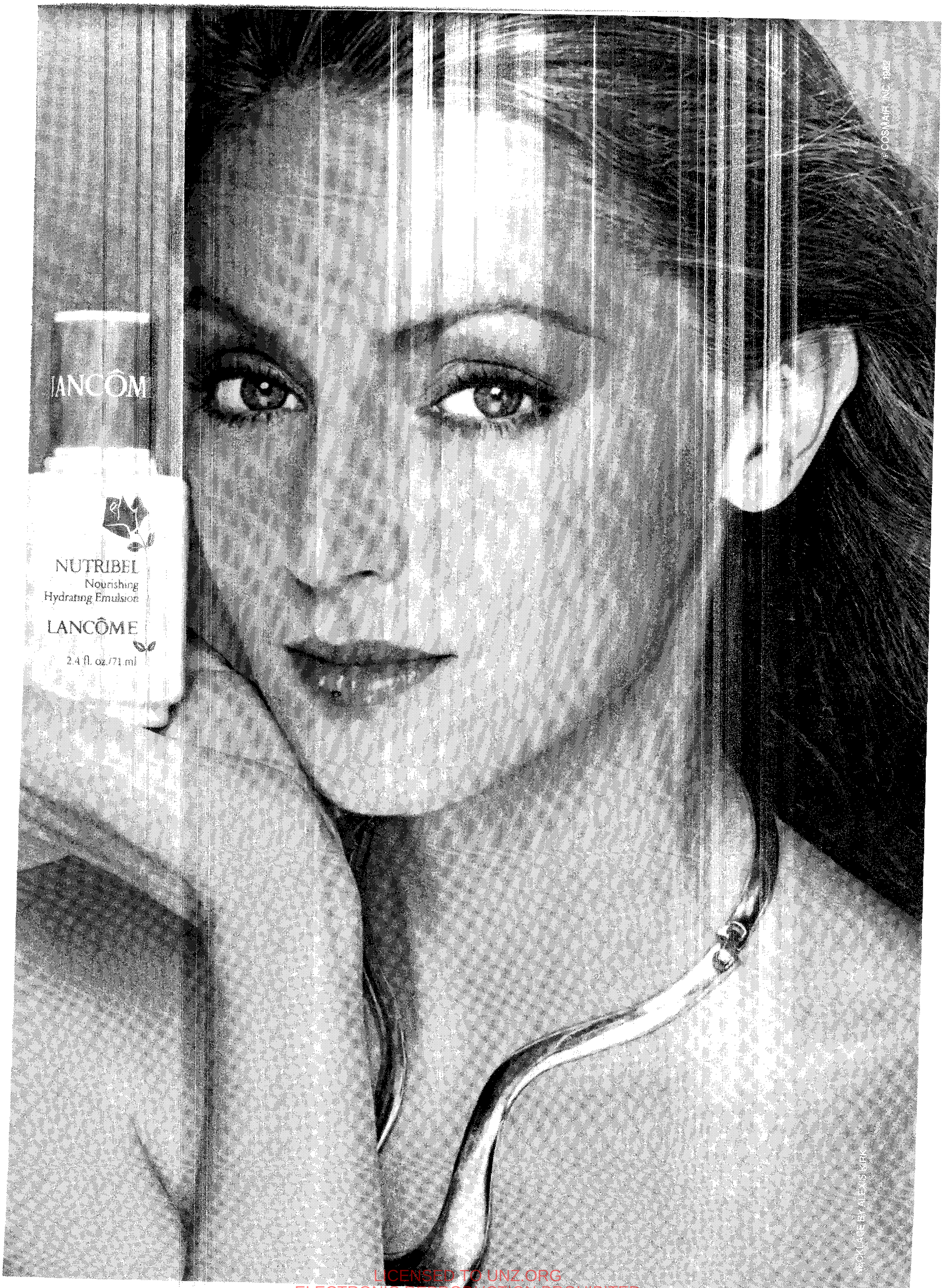
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Ave., at 77th St.: Four large figurative paintings in oil by Otto Dix and eight watercolors by Egon Schiele are included in a showing of works by half a dozen German Expressionists. Through Saturday, Oct. 16. (Opens at noon.) . . . **SIEGEL,** 29 E. 73rd St.: Minimal paintings and sculptures, one each by ten artists, including Alan Uglow, Robert Ryman, Jene Highstein, and Carl Andre. Through Saturday, Oct. 9.

GALLERIES—57TH STREET AREA

Power Boothe—Recent large-scale color-field paintings. Through Oct. 28. (Sachs, 29 W. 57th St.)

Bård Breivik—Vertical wall sculptures, by a Norwegian artist, made of six- or seven-foot lengths of handsomely laminated wood hollowed out (like canoes, in some cases) and filled with inset bristles. Through Oct. 23. (Oscarsson Hood, 41 W. 57th St.)

Joan Brown—Oversize paintings combining bathing and feline motifs. Also, pilasters bearing the same designs. Through Oct. 28. (Frumkin, 50 W. 57th St. Opens at noon on Saturdays.)

Kenneth Callahan—Abstract oil paintings, and drawings that include scenes of China. Through Saturday, Oct. 16. (Kraushaar, 724 Fifth Ave., at 57th St.)

Paul Caranicas—Precisely executed oils of, for example, an eroding granite wall on a stark, wintry beach. Through Oct. 20. (Fischbach, 29 W. 57th St.)

Martha Diamond—Large, loosely executed paintings of big-city buildings in the colors they wear at night. Through Oct. 30. (Alexander, 20 W. 57th St.)

Ronnie Elliott (1910-82)—Twenty collages from the forties, in a memorial exhibit for this artist, who died last spring. Through Oct. 30. (Zarre, 41 E. 57th St.)

Käthe Kollwitz (1867-1945)—Prints accompanied by preliminary drawings and worked-over proofs. Through Nov. 6. (Galerie St. Etienne, 24 W. 57th St.)

William Kortlander—Recent paintings of the Ohio countryside, a favorite theme for this artist. Through Oct. 30. (Haber Theodore, 29 W. 57th St.)

Michael Loew—Abstract geometric paintings and drawings by an artist whose color arrangements seem to gain strength with the passing years. He is now seventy-five. Through Saturday, Oct. 16. (Pearl, 38 E. 57th St.)

Ed McGowin—A liquor-store holdup is the subject of one of five large-scale wall works in mixed mediums. Through Saturday, Oct. 16. (Iolas-Jackson, 52 E. 57th St.)

Donn Moulton—Larger-than-lifesize beach pebbles of lacquered fibre glass. Through Oct. 23. (Kornblee, 20 W. 57th St.)

Gabor Peterdi / Milton Avery (1893-1965)—Paintings that offer closeup views of Connecticut wetlands and tangled briar patches. / Works on paper in a show that nicely complements the Avery retrospective at the Whitney Museum. Through Thursday, Oct. 14. (Borgenicht, 724 Fifth Ave., at 57th St.)

Picasso (1881-1973)—Sculptures from the artist's estate, plus three pieces on loan from the Museum of Modern Art. Through Oct. 23. (Pace, 32 E. 57th St.)

Harvey Quaytman—Emblematic designs painted in the center of large shaped canvases. Through Oct. 23. (McKee, 41 E. 57th St.)

Millard Sheets—Paintings by this travelling artist, including this time scenes of Central Park, Russia, and the California coast, plus some still-lifes of lilies. Through Friday, Oct. 15. (Kennedy, 40 W. 57th St. Open Mondays; closed Saturdays.)

Leon Polk Smith—Two exhibits at Washburn galleries. Geometric paintings dated 1945-50 (at 42 E. 57th St.) and recent acrylics in solid, contrasting colors on shaped canvases (at 113 Greene St.). Through Oct. 30.

D. Jack Solomon—Beasts in Persian miniatures inspired these paintings and sculptures of colorful big cats. Through Saturday, Oct. 9. (Pam Adler, 37 W. 57th St.)

George Sugarman—Abstract drawings from 1950-82, plus recent small painted-metal sculptures. Through Oct. 23. (Miller, 724 Fifth Ave., at 57th St.)

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Elena Urbaitis—Wing-shaped sheet-metal sculptures illuminated by hidden fluorescent lights. Through Saturday, Oct. 16. (Phoenix, 30 W. 57th St.)

Paul Van Hoeydonck—Collage drawings of New York. Also, painted-bronze sculptures. Through Oct. 28. (Deutsch, 20 W. 57th St.)

Symyoung Yook—Small paintings on silk or mulberry-bark paper, with bas-relief sculptural effects achieved by a kind of quilting. Through Saturday, Oct. 9. (Hankook, 50 W. 57th St.)

Group Shows—At the **ASSOCIATED AMERICAN ARTISTS,** 663 Fifth Ave., at 53rd St.: Thirty prints and drawings each, primarily of New York City, by Kenneth Hayes Miller and Reginald Marsh (the twenties to the forties), and by Isabel Bishop (the twenties to the present). Through Oct. 30. (Open Mondays.) . . . **ESMAN,** 29 W. 57th St.: Paintings and works on paper from 1910-25 by members of the Russian avant-garde (Rodchenko, Malevich); works from the fifties through the seventies by Americans (Avery, Steinberg, Christo); and works by gallery artists (Lizbeth Mitty, Ed Kerns). Through Saturday, Oct. 9.

GALLERIES—SoHo

Kermit Adler—Large, spontaneous-looking watercolors: landscapes, profusions of flowers, and plates of food, including an open-faced peanut-butter-and-jelly sandwich. Through Saturday, Oct. 9. (Ingber, 460 West Broadway.)

Arman / Lance Richbourg—Constructions, each devoted to groups of a single type of carpenter's tool. / Baseball paintings (done from photographs) by the son of a former Boston Braves outfielder. Through Saturday, Oct. 9. (O. K. Harris, 383 West Broadway.) . . . ¶ Behind a closed door in the back room are four cityscapes by Thomas Bacher, who uses a paint that glows in the dark.

Roger Brown—New paintings in which this Chicago artist gives mythical, Biblical, and political subjects his customary striking, idiosyncratic treatment. Through Saturday, Oct. 9. (Kind, 139 Spring St.)

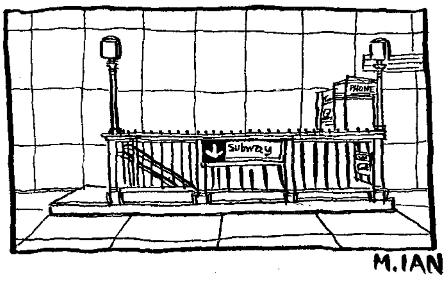
John Digby—Small, expertly executed collages in which silhouettes of birds, snipped from antique steel engravings, are retouched and enhanced with vignettes snipped from similar prints. Through Saturday, Oct. 16. (Key, 130 Greene St. Closed Tuesdays.)

Komar & Melamid—Thirteen paintings, shoving off from Socialist Realism, by these apostate Russians. One ironic work shows Stalin and the Muses, with Clio delivering the volume of History into his hands. Through Oct. 30. (Feldman, 31 Mercer St.)

Richard Long—Three narrow runways, about thirty feet long, of broken slabs of red slate; another natural medium, mud (some of it from the river Avon), is used for ten-foot discs hand-smeared on the gallery wall. Through Oct. 23. (Sperone Westwater Fischer, 142 Greene St.)

Stephen Mueller—Abstract paintings. Through Nov. 4. (Nosei, 100 Prince St.)

Carol Paquay—Figures, still-lifes, and landscapes in oils and acrylics. Through Oct. 20. (Blue Mountain, 121 Wooster St. Opens daily, except Mondays, at noon.)



Julian Schnabel—Paintings incorporating elements both figurative and abstract. Through Oct. 30. (Boone, 417 West Broadway.)

Carol J. Steen / Ellen K. Levy—Drawings in tar, hand-applied, evoking cudgels, arrows, bayonets, and boomerangs. / Paintings and drawings. Through Saturday, Oct. 16. (55 Mercer Street Gallery.)

Group Shows—At the **A.I.R.,** 63 Crosby St.: "Women Choose Men" is the title for a show of exactly that, with Robert Stackhouse, David Attie, Edvins Strautmanis, and others showing paintings, sculptures, and photographs at this feminist coöperative gallery. Through Saturday, Oct. 16. . . . **CASTELLI,** 142 Greene St.: A twenty-fifth-anniversary show in which gallery artists, ranging from Johns and Rauschenberg to Schnabel and Salle, are represented by a work from one of their early shows at Castelli. Through Saturday, Oct. 9. . . . **COOPER,** 155 Wooster St.: A changing exhibition of works by the artists the gallery represents, among them Jennifer Bartlett and Sol LeWitt. Through Oct. 23. . . . **THE DRAWING CENTER,** 137 Greene St.: Works on paper by thirteen artists. Through Nov. 6. (Open Mondays; open Wednesday evenings until 8.) . . . **PRINCE STREET GALLERY,** 121 Wooster St.: An invitational show made up of the works of seventeen figurative painters who are also considered colorists—Leland Bell, Louisa Matthiasdottir, Robert De Niro, and Harriet Shorr among them. Through Oct. 20. (Opens daily, except Mondays, at noon.)

OTHER GALLERIES

Samuel F. B. Morse (1791-1872)—"Gallery of the Louvre," other historical paintings, and portraits by the artist-scientist. Through Oct. 23. (Grey Art Gallery, New York University, Washington Pl., just east of Washington Sq. Tuesdays and Thursdays, 10 to 6:30; Wednesdays, 10 to 8:30; Fridays, 10 to 5; Saturdays, 1 to 5. Drawings by Morse may be seen at the National Academy of Design.)

Nicholas Sperakis—Drawings and woodcuts; some of the latter are over seven feet tall. Through Oct. 29. (Washington Irving, 117 E. 17th St. Opens daily, except Mondays, at 1.)

PHOTOGRAPHY

Micha Bar-Am / Bruce Davidson—Seventy photographs of events and people in Israel from 1956 to the present, by a New York *Times* photographer who lives outside of Tel Aviv. / Large-scale photographs of subway riders by an artist who spent more than a year documenting his trips. Through Nov. 14. (International Center of Photography, 1130 Fifth Ave., at 94th St. Tuesdays through Thursdays, noon to 8; Fridays through Sundays, noon to 6.)

Lou Bernstein / Cliff Chandler—Photographs of whales in the aquarium at Coney Island, of New York in the fifties, portraits, and other subjects. / Photographs of Duke Ellington at a 1968 recording session at the Great Northern Hotel; the Prospect Park area in Brooklyn; and other works. Through Saturday, Oct. 16. (Ledel, 168 Mercer St. Opens at noon.)

Robert Disraeli—Photographs from the thirties: portraits of such artists as Stuart Davis and John Marin, New York scenes, abstractions. Through Oct. 22. (Pfeifer, 825 Madison Ave., at 69th St.)

Ralph Gibson—High-contrast silver-gelatin photographs. Through Saturday, Oct. 9. (Castelli Graphics, 4 E. 77th St.)

Russell Lee—Vintage and contemporary prints, notably the 1941 Pie Town, New Mexico, series he did for the Farm Security Administration. Through Oct. 23. (Witkin, 41 E. 57th St. Opens at noon on Saturdays.)

Aaron Siskind—Fifty-seven photographs documenting life in Harlem during the nineteen-thirties. Through Oct. 31. (Midtown Y Gallery, 344 E. 14th St. Sundays through Thursdays, noon to 8; Fridays, noon to 4.)

Paul Strand (1890-1976)—Photographs from 1914 on, about half of them printed by the artist. Through Jan. 15. (New York Public Library, Fifth Ave. at 42nd St. Mondays

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GOINGS ON ABOUT TOWN

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through Wednesdays, 10 to 9; Fridays and Saturdays, 10 to 6.)

Group Shows—At the **floating foundation of photography,** Pier 40 South, Hudson River at W. Houston St.: Work by twenty contemporary women photographers, including Lilo Raymond and Barbara Morgan. Through Oct. 17. (Thursdays through Sundays, 12:30 to 6.) . . . **prakapas,** 19 E. 71st St.: Nearly forty vintage prints by Dutch and other artists (Piet Zwart, Cas Oorthuys, László Moholy-Nagy) who reinterpreted the De Stijl movement through the lens of a camera. Through Oct. 23. (Opens at noon; open Tuesday evenings until 8.) . . . **wolf,** 30 W. 57th St.: Avocational photographs by painters and sculptors of this century and the nineteenth: Degas, Brancusi, Pearlstein, and others. Through Saturday, Oct. 9.

MUSEUMS AND LIBRARIES

Metropolitan Museum, Fifth Ave. at 82nd St.—The Cimabue Crucifix, on loan from the church of Santa Croce in Florence, is on exhibit in the Medieval Sculpture Hall. Through Nov. 10. . . . ¶ A show of about forty-five objects whose ornamentations typify the art of Islamic calligraphy. . . . ¶ Forty-one sculptures and paintings from Nepal, India, and Southeast Asia, acquired by the museum within the past five years. Through Jan. 23. . . . ¶ An exhibit of prints by the Dutch artist Hendrik Goltzius, considered the outstanding line engraver of the late-sixteenth century. Also, prints by his students and by artists (Dürer and Spranger) who influenced Goltzius. Through Nov. 21. (Open daily except Mondays. Hours: Tuesdays, 10 to 8:45; Wednesdays through Saturdays, 10 to 4:45; Sundays, 11 to 4:45.)

Museum of Modern Art, 18 W. 54th St.—While the museum's renovation and expansion project continues, only part of the permanent collection remains on view. . . . ¶ Richard Neutra's contributions to American residential architecture are documented in an exhibit of photographs, drawings, and two large-scale models. Through Tuesday, Oct. 12. . . . ¶ Six video programs (one is shown continuously each day) that, when taped, depended on satellite relays. Through Oct. 26. (Open daily, except Wednesdays, 11 to 6, and Thursday evenings until 9.)

Guggenheim Museum, Fifth Ave. at 89th St.—"Scandinavia Today," the over-all title for a nationwide series of exhibits (see also the Cooper-Hewitt, Morgan Library, and National Academy of Design), brings three shows to these galleries: Works in various mediums by two contemporary artists from each of the five Nordic countries; paintings and works on paper by the Swedish artist Öyvind Fahlström; and paintings and prints by Danish Cobra artist Asger Jorn. Through Nov. 7. . . . ¶ A dozen works (on canvas and on paper) by Jan Matulka which are recent gifts to the museum from his widow. Through Nov. 14. (Open daily. Hours: Tuesdays, 11 to 8, with no admission charge from 5 to 8; Wednesdays through Sundays, and Monday, Oct. 11, from 11 to 5.)

Whitney Museum of American Art, Madison Ave. at 75th St.—A Milton Avery retrospective of paintings and monotypes. Through Dec. 5. A complementary show (ending Thursday, Oct. 14) is at the Grace Borgenicht Gallery, 724 Fifth Ave., at 57th St. . . . ¶ A survey of present-day museum architecture in the United States contains elevations, renderings, photographs, and models for seven projects currently in the works, including the Museum of Modern Art. Through Sunday, Oct. 10. (Open daily except Mondays. Hours: Tuesdays, 11 to 8, with no admission charge after 5; Wednesdays through Saturdays, 11 to 6; Sundays, noon to 6.)

Brooklyn Museum, Eastern Parkway—A show of selections from the museum's print collection, representing five hundred years of work. Dürer, Rembrandt, Goya (including a working proof from his "Los Caprichos" series), Degas, Cassatt, Kirchner, Picasso (his 1935 "Minotauromachy"), Dine, and others. Through Nov. 14. (Open Wednesdays through Saturdays, 10 to 5; Sundays, noon to 5; Monday, Oct. 11, from 1 to 5.)

American Museum of Natural History, Central Park W. at 79th St.—The permanent collection is the primary reason for a visit right now. (Open daily. Hours: Mondays, Tuesdays, Thursdays, and Sundays, 10 to 5:45; Wednesdays, Fridays, and Saturdays, 10 to 9.)

Asia Society, 725 Park Ave., at 70th St.—"Arts of the Islamic Book," a show of illuminated manuscripts and pages of manuscripts, from the collection of Prince Sadruddin Aga Khan which ranges in time from the ninth century to the nineteenth. Starts Thursday, Oct. 7. (Open daily except Mondays. Hours: Tuesdays through Saturdays, 10 to 5, and Thursday evenings until 8:30; Sundays, noon to 5.)

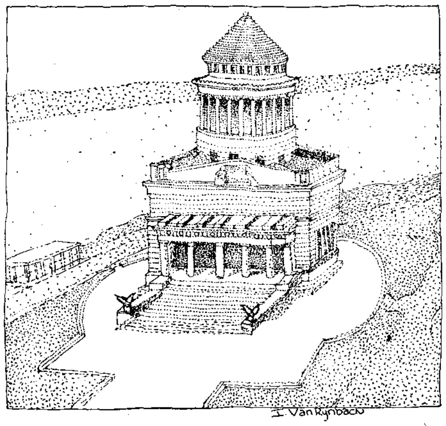
Cooper-Hewitt Museum, Fifth Ave. at 91st St.—An exhibit that reviews Scandinavian designs in furniture, glass, ceramics, metal, and textiles from the eighteen-eighties to the present. . . . ¶ More than two hundred hand-colored fashion prints illustrating the sartorial trends followed by men, women, and children from the end of the eighteenth century to the beginning of the twentieth. Both shows through Jan. 2. (Open daily except Mondays. Hours: Tuesdays, 10 to 9, with no admission charge after 5; Wednesdays through Saturdays, 10 to 5; Sundays, noon to 5.)

Japan House, 333 E. 47th St.—Ushio Shinohara's exhibit of paintings, sculptures, and drawings includes a 1966 Pop treatment of the ukiyo-e genre and a six-panel painting on canvas, "Flower Viewing," that is exhibited as a folding screen and combines, among other things, Wonder Woman figures and figures after Edward Hopper. Through Sunday, Oct. 10. (Open daily, 11 to 5, and Friday evenings until 7:30.)

Jewish Museum, Fifth Ave. at 92nd St.—An exhibit of a hundred and fifty paintings, sculptures, prints, and drawings by Max Weber. Through Jan. 16. A complementary show is at the Forum Gallery, 1018 Madison Ave., at 79th St. . . . ¶ A show presenting more than fifty seventeenth-century prints, most of them portraying the Jewish population of Amsterdam as seen by non-Jewish artists of that city, and providing as well a number of Biblical scenes, ten of them by Rembrandt. Through Dec. 5. (Open daily except Fridays, Saturdays, and Sunday, Oct. 10. Hours: Mondays through Thursdays, noon to 5.)

Morgan Library, 29 E. 36th St.—A show of fifteenth-century Dutch and Flemish illuminated manuscripts (among them the 1440 "Hours of Catherine of Cleves"); religious drawings (including one attributed to Hieronymus Bosch); and illustrated printed books (Ovid's "Metamorphoses" accompanied by woodcuts). Through Nov. 7. . . . ¶ A display of Icelandic illuminated manuscripts and early printed books of historical, legal, liturgical, and literary interest. Through Nov. 14. (Open daily except Mondays. Hours: Tuesdays through Saturdays, 10:30 to 5; Sundays, 1 to 5.)

Museum of American Folk Art, 49 W. 53rd St.—The paintings of Olof Krans (1838-1916) recall his life in a religious community founded by Swedish Americans in the prairie town of Bishop Hill, Illinois. Through Jan. 2. (Open daily except Mondays. Hours: Tuesdays, 10:30 to 8, with no admission charge after 5:30; Wednesdays through Sundays, 10:30 to 5:30.)



National Academy of Design, 1083 Fifth Ave., at 89th St.—A show concerning Samuel F.B. Morse's association with the academy, of which he was founder and first president. It includes four of his portraits and fifty of his drawings as well as works by fellow-founders Asher B. Durand, Robert Weir, and Charles Loring Elliott. Through Nov. 18. A complementary exhibit of Morse's works is at the Grey Art Gallery, Washington Pl., just east of Washington Sq. . . . ¶ Two hundred prints in a show that is part of the "Scandinavia Today" series. Through Sunday, Oct. 10. . . . ¶ A display of pages from the sketchbooks of Le Corbusier, together with photographs of his designs. Through Nov. 14. (Open daily except Mondays. Hours: Tuesdays, noon to 8, with no admission charge after 5; Wednesdays through Sundays, noon to 5.)

New-York Historical Society, 170 Central Park W., at 77th St.—"The Birth of New York: Nieuw Amsterdam 1624-1664" has hand-drawn maps, paintings, manuscripts, and artifacts (from the Old World and the New) that demonstrate the cultural, commercial, and architectural links between the two cities. Also on hand is a letter dated November 5, 1626, informing officials in Holland of the purchase of Manhattan from the Indians (in Dutch, of course). Starts Thursday, Oct. 7. (Open daily except Mondays. Hours: Tuesdays through Fridays, 11 to 5; Saturdays, 10 to 5; Sundays, 1 to 5.)

Studio Museum in Harlem, 144 W. 125th St.—A show of about a dozen paintings each by Herbert Gentry, Clifford Jackson, Sam Middleton, and Walter T. Williams. Starts Friday, Oct. 8. (Open Wednesdays, 10 to 5; Thursdays, 10 to 9; Fridays, 10 to 5; Saturdays and Sundays, 1 to 6.)

EXPERIMENTAL OUTPOSTS

(Various avant-garde enterprises that may involve not only traditional art but music, video, dance, and so on.)

Franklin Furnace, 112 Franklin St. 925-4671. Exhibition hours: Tuesdays through Saturdays, noon to 6.—Peter Rose (performance), Thursday, Oct. 7, at 8:30; Arnette de Mille (dance), Thursday, Oct. 14, at 8:30. . . . ¶ Richard Nonas's installation called "Goats Itch." Through Saturday, Oct. 16.

Just Above Midtown/Downtown, 178 Franklin St. Exhibition hours: Tuesdays through Saturdays, 11 to 6.—Individual shows by Kit-Yin Snyder (architectural installation), Ellen Weider (paintings), and Russell Redmond (sculptures). Starts Thursday, Oct. 7.

The Kitchen, 484 Broome St. 925-3615. Exhibition hours: Tuesdays through Saturdays, 1 to 6.—Beth Lapides (performance), Friday and Saturday, Oct. 8-9, at 8:30. . . . ¶ Eva Buchmuller's installation, with Squat Theatre, which is composed of murals incorporating TV monitors and music. Through Oct. 23.

MUSIC

(The box-office number for the Metropolitan Opera House is 362-6000; for Alice Tully Hall, 362-1911; for Avery Fisher Hall, 874-2424; for Carnegie Hall, 247-7459; for Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 83rd St., 570-3949; for Kaufmann Concert Hall, 92nd Street Y, Lexington Ave. at 92nd St., 427-4410; and for Merkin Concert Hall, Abraham Goodman House, 129 W. 67th St., 362-8719. Other box-office numbers are included in the listings.)

OPERA

Metropolitan Opera—Wednesday, Oct. 6, at 8: "Boris Godunov," with Martti Talvela, Mignon Dunn, Wieslaw Ochman, and John Gilmore; conducted by James Conlon. . . . ¶ Thursday, Oct. 7, at 8: "Der Rosenkavalier," with Tatiana Troyanos, Kiri Te Kanawa, Judith Blegen, Luciano Pavarotti, and Kurt Moll; James Levine. . . . ¶ Friday, Oct. 8, at 8: "La Forza del Destino," with Leona Mitchell, Isola Jones, Giuseppe Giacomini, and Sherrill Milnes; James Levine. . . . ¶ Saturday, Oct. 9, at 1: "La Gioconda," with Galina Savova, Bruna Baglioni, Placido

Domingo, and Matteo Manuguerra; Giuseppe Patanè. . . . ¶ Saturday, Oct. 9, at 8: "Boris Godunov," with Gwynn Cornell, Martti Talvela, Misha Raitzin, and John Gilmore; James Conlon. . . . ¶ Monday, Oct. 11, at 8: "La Forza del Destino," with Leona Mitchell, Barbara Conrad, Carlo Bergonzi, and Sherrill Milnes; James Levine. . . . ¶ Tuesday, Oct. 12, at 7:30: "Der Rosenkavalier," with Tatiana Troyanos, Evelyn Lear, Judith Blegen, and Jeffrey Stamm; James Levine. . . . ¶ Wednesday, Oct. 13, at 8: "La Gioconda," with Eva Marton, Mignon Dunn, Placido Domingo, and Matteo Manuguerra; Giuseppe Patanè. . . . ¶ Thursday, Oct. 14, at 7:30: The Metropolitan's première of Mozart's "Idomeneo," with Ileana Cotrubas, Hildegard Behrens, Frederica von Stade, and Luciano Pavarotti; James Levine. (A benefit performance.) . . . ¶ Friday, Oct. 15, at 7:30: "Der Rosenkavalier," with Tatiana Troyanos, Kiri Te Kanawa, Judith Blegen, Luciano Pavarotti, and Kurt Moll; Jeffrey Tate. . . . ¶ Saturday, Oct. 16, at 2: "Boris Godunov," with Mignon Dunn, Martti Talvela, Wieslaw Ochman, and John Gilmore; James Conlon. . . . ¶ Saturday, Oct. 16, at 8: "La Forza del Destino," with Leona Mitchell, Barbara Conrad, Carlo Bergonzi, and Sherrill Milnes; James Levine.

NEW YORK CITY OPERA—Friday evening, Oct. 8: "Alceste" (in French), with Heather Harper, Jon Garrison, William Stone, and Scott Reeve; conducted by Raymond Leppard. . . . ¶ Saturday matinée, Oct. 9: "La Traviata," with Diana Soviero, Carroll Freeman, and William Stone; Brian Salesky. . . . ¶ Saturday evening, Oct. 9: "Tosca," with Stephanie Sundine, Riccardo Calleo, and Robert Hale; Vincent LaSelva. . . . ¶ Sunday matinée, Oct. 10: "Madame Butterfly," with Judith Haddon, Shinja Kim, Vinson Cole, and Alan Titus; Christopher Keene. . . . ¶ Sunday evening, Oct. 10: "Carmen," with Susanne Marsee, Marianna Christos, and Justino Díaz; Brian Salesky. . . . ¶ Wednesday evening, Oct. 13: A new production of Bernstein's "Candide," with Erie Mills, Muriel Costa-Greenspon, David Eisler, and John Lankston; John Mauceri. . . . ¶ Friday evening, Oct. 15: "Madame Butterfly," with Judith Haddon, Judith Christin, Jerry Hadley, and Alan Titus; Christopher Keene. . . . ¶ Saturday matinée, Oct. 16: "Alceste" (in French), with Heather Harper, Jon Garrison, William Stone, and Scott Reeve; Raymond Leppard. . . . ¶ Saturday evening, Oct. 16: "Candide," with Erie Mills, Muriel Costa-Greenspon, David Eisler, and John Lankston; John Mauceri. (New York State Theatre, Lincoln Center. 870-5570. Weeknights at 8, and Sundays and Wednesday, Oct. 13, at 7. Matinées Saturdays at 2, and Sundays at 1. Through Sunday, Nov. 14.)

GOLDOVSKY GRAND OPERA THEATRE—Boris Goldovsky directing a staged production of Puccini's "La Bohème," in English. (Lehman College Concert Hall, the Bronx. 960-8833. Sunday, Oct. 10, at 3.)

ORCHESTRAS AND CHORUSES

NEW YORK PHILHARMONIC—At Avery Fisher Hall—Thursday through Saturday, Oct. 7-9, at 8, and Tuesday, Oct. 12, at 7:30: Maxim Shostakovich conducting a program of his father's works, with Glenn Dicterow, violin. . . . ¶ Thursday, Oct. 14, at 8; Friday, Oct. 15, at 2; and Saturday, Oct. 16, at 8: Giuseppe Sinopoli conducting Mahler's Sixth Symphony.

CONCERTGEBOUW ORCHESTRA OF AMSTERDAM—At Carnegie Hall, Bernard Haitink conducting. Friday, Oct. 8, at 8: A Ravel-Keuris-Berlioz program. . . . ¶ Saturday, Oct. 9, at 8: A performance of Mahler's Seventh Symphony.

I MUSICI—Pina Carmirelli, violin, and eleven other musicians who perform without a conductor, in a program of seventeenth- and eighteenth-century music. (Carnegie Hall. Tuesday, Oct. 12, at 8.)

BOSTON SYMPHONY—Seiji Ozawa conducting a Beethoven-Sessions-Brahms program. (Carnegie Hall. Wednesday and Thursday, Oct. 13-14, at 8.)

MUSICA SACRA "BASICALLY BACH"—A series of five concerts. **AVERY FISHER HALL.** Wednesday, Oct. 6, at 7:30: Richard Westenburg directing the orchestra and chorus in a performance of Bach's B-Minor Mass, with Inga Nielsen, soprano; Janice Taylor, mezzo-soprano; Vinson Cole, tenor; and Samuel Ramey, bass. . . . ¶ Friday, Oct. 15, at 7:30: Richard Westenburg directing a varied program, with Arleen

a letter from

Kennedy

The gallery with a point of view

Dear Collector:

I believe that an art gallery exists to do more than sell fine art. Commitment to scholarship is a contribution to the fabric of society.

After I co-founded *The Archives of American Art*, a primary art research resource and now part of the Smithsonian Institution, I saw the need for a scholarly magazine devoted entirely to American art. *The American Art Journal* is published quarterly by Kennedy Galleries and the Editorial Board includes some of the most informed American art scholars. The newly created *American Art Journal Book Series* published its first monograph, *The Inlander*, by John I.H. Baur, Director Emeritus of The Whitney Museum of American Art. The book is a study of the unique American painter, Charles E. Burchfield.

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Lawrence A. Fleischman
President, Kennedy Galleries

Kennedy Galleries

40 West 57 Street (Fifth Floor) New York 10019
212/541-9600 Monday-Friday 9:30-5:30

GOINGS ON ABOUT TOWN

Augér, soprano; Jan DeGaetani, mezzo-soprano; Douglas Robinson, tenor; and Jan Opalach, bass-baritone. . . . **CENTRAL PRESBYTERIAN CHURCH.** Friday, Oct. 8, at 7:30: Richard Westenburg directing a program of Bach cantatas and the Brandenburg Concerto No. 6, with Lucy Shelton, soprano; Jeffrey Dooley, countertenor; Charles Bressler, tenor; and David Arnold, baritone. . . . ¶ Sunday, Oct. 10, at 7:30: Albert Fuller conducting Aston Magna, with Jaap Schröder, violin; John Solum, transverse flute; and Lionel Party, harpsichord. . . . ¶ Wednesday, Oct. 13, at 7:30: Fernando Valenti, harpsichord, in a Bach-Scarlatti recital. (Park Ave. at 64th St. For tickets, call 873-9546.)

BOSTON PHILHARMONIC ORCHESTRA—Benjamin Zander conducting a performance of Mahler's Second Symphony, with Flicka Wilmore, soprano; Jane Struss, mezzo-soprano; and the Chorus Pro Musica. (Carnegie Hall, Monday, Oct. 11, at 7:30.)

MUSICA AETERNA ORCHESTRA—Frederic Waldman conducting, with Grant Johannesen, piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum. Saturday, Oct. 16, at 8.)

POMERIUM MUSICES—Alexander Blachly directing a program of early Renaissance music. (Merkin Concert Hall, Abraham Goodman House, Tuesday, Oct. 12, at 8.)

RECITALS

PETER TAKÁCS—Piano. (Kaufmann Concert Hall, 92nd Street Y. Wednesday, Oct. 6, at 8.)

COMPOSERS FORUM—A program entitled "Lukas Foss: A Musical Portrait," with Jan Williams, percussion; Ivan Mikhashoff, piano; Guy Klucevsek, accordion; and the Gregg Smith Singers. (Symphony Space, Broadway at 95th St. 864-5400. Thursday, Oct. 7, at 8.)

WASHINGTON SQUARE CONTEMPORARY MUSIC SERIES—With James Primosch, piano; Janet Wheeler, soprano; Paul Gallo, clarinet; and others. (New York University Theatre, 35 W. 4th St. Thursday, Oct. 7, at 8. Tickets at the door on the night of the concert.)

GUARNERI QUARTET—The first in a series of eight programs, this one devoted to Schumann and Dvořák. With Stephanie Brown, piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum. Friday, Oct. 8, at 8.)

SABICAS—Flamenco guitarist. (CAMI Hall, 165 W. 57th St. Friday, Oct. 8, at 8. For information about tickets, call 757-3255.)

ANDREW APPEL—Harpsichord, in a benefit recital. (Friends Meeting House, 15 Rutherford Place, Second Ave. at 15th St. Friday, Oct. 8, at 8. Admission by contribution.)

GALAMIR STRING QUARTET—Chamber music. (Mannes College of Music, 157 E. 74th St. Friday, Oct. 8, at 8. No tickets necessary.)

ALICIA DE LARROCHA—Piano. (Grace Rainey Rogers Auditorium. Saturday, Oct. 9, at 8.)

USTAD BISMILLAH KHAN AND V. G. JOG—Shehnai and violin, in a program of classical Indian music. (Town Hall, 123 W. 43rd St. Saturday, Oct. 9, at 6. 840-2824.)

NATHANIEL ROSEN AND JEROME LOWENTHAL—Cello and piano. (Carnegie Hall. Sunday, Oct. 10, at 3.)

MICHAEL OELBAUM—Piano. (Merkin Concert Hall, Abraham Goodman House. Sunday, Oct. 10, at 8.)

PANAYIS LYRAS—Piano. (Alice Tully Hall. Monday, Oct. 11, at 8.)

CARROLL GLENN—Violin. (Merkin Concert Hall, Abraham Goodman House. Monday, Oct. 11, at 8.)

DORIOT ANTHONY DWYER—Flute, with assisting artists. (Alice Tully Hall. Tuesday, Oct. 12, at 8.)

PAMELA FRAME—Cello. (Merkin Concert Hall, Abraham Goodman House. Wednesday, Oct. 13, at 8.)

ENSEMBLE FOR EARLY MUSIC—A program of English baroque music performed by Scott Reiss, recorder; Tina Chancey and Robert Eisenstein, viola da gamba; and James Wright, harpsichord. (Cathedral of St. John the Divine, Amsterdam Ave. at 112th St. Thursday, Oct. 14, at 8. Tickets at the door on the night of the concert.)

TOYOHIKO SATOH—Lutanist. (Carnegie Recital Hall. Thursday, Oct. 14, at 8.)

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LASALLE QUARTET—Chamber music. (Alice Tully Hall. Thursday, Oct. 14, at 8.)

YO-YO MA AND EMANUEL AX—Cello and piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum. Friday, Oct. 15, at 8.)

TRIO DELL'ARTE—Chamber music. (Carnegie Recital Hall. Friday, Oct. 15, at 8:30.)

CLAUDE FRANK—Piano, in an all-Beethoven program. (Alice Tully Hall. Saturday, Oct. 16, at 3.)

PETER SERKIN—Piano. (Washington Irving High School, Irving Pl. at 16th St. Saturday, Oct. 16, at 3. For tickets, call 586-4680.)

LIONEL PARTY—Harpsichord and spinetta. (Kaufmann Concert Hall, 92nd Street Y. Saturday, Oct. 16, at 8.)

CHAMBER MUSIC—The Emerson Quartet with Scott Nickrenz, viola. (Brooklyn Academy of Music, 30 Lafayette Ave. 636-4100. Saturday, Oct. 16, at 8:30, and Sunday, Oct. 17, at 2.)

MISCELLANY

THE MUSIC OF JOEL MANDELBAUM—A program of songs set to the poetry of Yeats, Edna St. Vincent Millay, Leonie Adams, and others, performed by Paul Sperry, tenor; Jane Bryden, soprano; Constance Beavon, mezzo-soprano; Roger Andrews, baritone; and Morey Ritt, piano. Also participating will be Ruth Waterman, violin; the Sylvan Wind Quintet, and members of the Graduate String Quartet of the Aaron Copland School of Music. (Merkin Concert Hall, Abraham Goodman House. Wednesday, Oct. 6, at 8.)

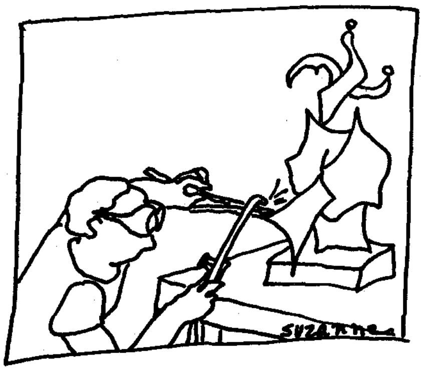
BENEFIT CONCERT—The Emerson String Quartet; Richard Goode, piano; and Tashi in a performance for the benefit of CARE. (St. Bartholomew's Church, Park Ave. at 50th St. Wednesday, Oct. 13, at 7. For tickets, call 686-3110.)

SPORTS

(The box-office number for Madison Square Garden is 564-4400.)

PROFESSIONAL BASKETBALL—Exhibition games at Madison Square Garden: Milwaukee vs. Washington and Knicks vs. Nets, Thursday, Oct. 14, at 6. . . . ¶ Atlanta vs. Chicago and Knicks vs. Boston, Saturday, Oct. 16, at 6.

COLLEGE FOOTBALL—SATURDAY, OCT. 9: Brown vs. Pennsylvania, at Providence, at 1:30. . . . ¶ Colgate vs. Holy Cross, at Hamilton, at 1. . . . ¶ Columbia vs. Princeton, at Baker Field, at 1:30. . . . ¶ Fordham vs. Georgetown, at Fordham, at 1:30. . . . ¶ Harvard vs. Cornell, at Cambridge, at 1:30. . . . ¶ Rutgers vs. Army, at Giants Stadium, the Meadowlands, at 2. . . . ¶ Williams vs. Trinity, at Williamstown, at 1:30. . . . ¶ Yale vs. Boston University, at New Haven, at 1:30. . . . **SUNDAY, OCT. 10:** Manhattan vs. Maritime, at John F. Kennedy Field, Tibbett Ave. and W. 230th St., at 1:30. . . . **SATURDAY, OCT. 16:** Boston College vs. Rutgers, at Chestnut Hill, at 6. . . . ¶ Cornell vs. Brown, at Ithaca, at 1:30. . . . ¶ Dartmouth vs. Harvard, at Hanover, at 1:30. . . . ¶ Fordham vs. Marist, at Fordham, at 1:30. . . . ¶ Navy vs. William and Mary, at Annapolis, at 2. . . . ¶ Princeton vs. Army, at Princeton, at 1:30. . . . ¶ Yale vs. Columbia, at New Haven, at 1:30.



PROFESSIONAL FOOTBALL—Sunday, Oct. 10 (if the strike is over): Giants vs. St. Louis Cardinals, at Giants Stadium, the Meadowlands, at 1. . . . ¶ Jets vs. Denver Broncos, at Shea Stadium, at 4.

HOCKEY—At **MADISON SQUARE GARDEN** (all games at 7:35): Rangers vs. Washington Capitals, Wednesday, Oct. 6. . . . ¶ Rangers vs. Islanders, Monday, Oct. 11. . . . ¶ Rangers vs. Philadelphia Flyers, Wednesday, Oct. 13. . . . **NASSAU COLISEUM:** Islanders vs. Pittsburgh Penguins, Thursday, Oct. 14, at 8:05. . . . ¶ Islanders vs. Los Angeles Kings, Saturday, Oct. 16, at 8:05. (Hempstead Turnpike, Uniondale, L.I. 1-516 794-9100.) . . . **BYRNE MEADOWLANDS ARENA** (1-201 935-3900): Devils vs. Rangers, Friday, Oct. 8. . . . ¶ Devils vs. Boston Bruins, Tuesday, Oct. 12. . . . ¶ Devils vs. Montreal Canadiens, Thursday, Oct. 14. (Games begin at 7:35.)

RACING—At **BELMONT:** Weekdays at 1 and Sundays at 1:05; through Monday, Oct. 11. The *Temple Gwathmey Steeplechase*, Friday, Oct. 8; the Champagne and the Jockey Club Gold Cup, Saturday, Oct. 9; the Frizette, Sunday, Oct. 10; and the Beldame, Monday, Oct. 11. (Frequent trains will leave Penn Station for the track Wednesday through Friday and Monday between 11 and 1:10, and Saturday and Sunday between 11 and 1:15.) . . . **AQUEDUCT:** Mondays and Wednesdays through Saturdays at 12:30, and Sundays at 1:05, from Wednesday, Oct. 13, through Friday, Dec. 31. The Vosburgh, Saturday, Oct. 16. . . . **MEADOWLANDS:** Weeknights at 8, except Monday, Oct. 11, when post time will be 1:30; through Friday, Dec. 31. The Paterson, Saturday, Oct. 16. . . . **BOWIE,** Md.: Weekdays at 1; through Monday, Oct. 18.

TROTTING—At Roosevelt Raceway, Westbury: Weeknights at 8; through Saturday, Nov. 6.

YACHTING—The sixteenth annual Mayor's Cup Schooner Race, sailed over a course from Pier A, south under the Verrazano-Narrows Bridge, around the West Bank Light and back to the 69th Street Pier in Brooklyn. The starting gun goes off at ten, Saturday, Oct. 9 (storm date, Sunday, Oct. 10).

ET ALIA

POETRY READINGS—Jack Gilbert and Ellen Bryant Voigt reading from their own works. (92nd Street Y, Lexington Ave. at 92nd St. 427-4410. Monday, Oct. 11, at 8.) . . . ¶ Ted Berrigan and Ron Padgett reading from their own works. (St. Mark's In-the-Bouwerie, Second Ave. at 10th St. Wednesday, Oct. 13, at 8. Admission by contribution.) . . . ¶ Alastair Reid reading from his own works. (Room 310, Loeb Student Center, Washington Sq. S. and LaGuardia Pl. Thursday, Oct. 14, at 8. No tickets necessary.)

NATIONAL ARTS AND ANTIQUES FESTIVAL—The twentieth annual exhibition covering three centuries of antiques but focussing on Victoriana. (7th Regiment Armory, Park Ave. at 66th St. Friday, Oct. 8, through Sunday, Oct. 17. Weekdays, 1 to 10; Sundays, 1 to 6.)

WALKING TOUR—A conducted tour of the Chelsea district, sponsored by the Museum of the City of New York. Sunday, Oct. 10, starting at the *Chelsea Hotel, 222 W. 23rd St.*, at 1:30. For information about tickets, call 534-1672.

AUCTIONS—At **SOTHEBY'S,** York Ave. at 72nd St. (Exhibition hours: Tuesdays, 9:30 to 7:30; Wednesdays through Saturdays, 9:30 to 5.) Wednesday, Oct. 6, at 2: Netsuke, inro, and lacquerware; from the Newark Museum and from other sources. . . . ¶ Thursday, Oct. 14, at 10:15 and 2: Musical instruments. Exhibition starts Saturday, Oct. 9. . . . **PHILLIPS,** 406 E. 79th St. (Exhibition hours: Weekdays, 10 to 5.) Thursday, Oct. 14, at noon: European furniture and decorations and bronzes, in addition to Art Nouveau and Art Deco objects. Exhibition starts Friday, Oct. 8.

ELECTION REGISTRATION—The registration dates for the Nov. 2 elections will be Thursday, Oct. 14, and Saturday, Oct. 16, from 1 to 9.

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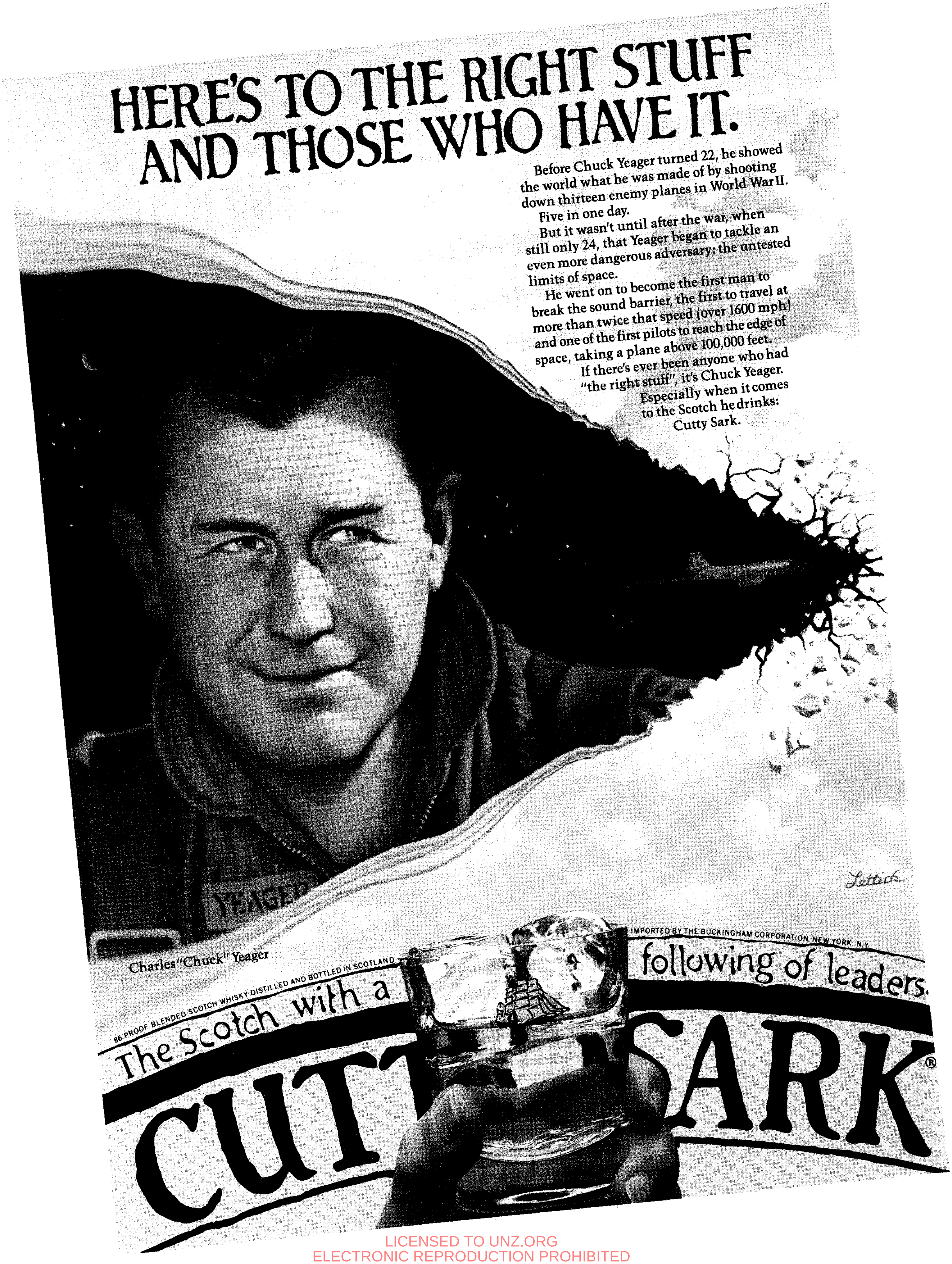

HERE'S TO THE RIGHT STUFF AND THOSE WHO HAVE IT.

Before Chuck Yeager turned 22, he showed the world what he was made of by shooting down thirteen enemy planes in World War II. Five in one day.

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He went on to become the first man to break the sound barrier, the first to travel at more than twice that speed (over 1600 mph) and one of the first pilots to reach the edge of space, taking a plane above 100,000 feet.

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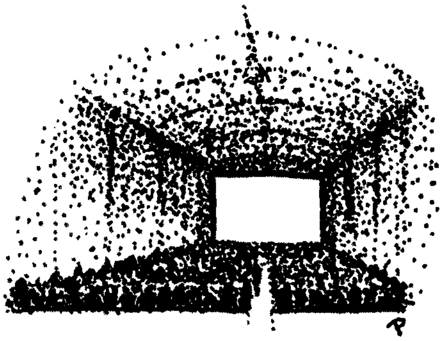

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FILMS ACCOMPANIED BY A DAGGER ARE DESCRIBED IN THE "IN BRIEF" SECTION, STARTING ON PAGE 26.

EAST SIDE

Little Theatre, Public Theatre, 425 Lafayette St. (598-7171; theatre opens in the late afternoon and is closed Mondays.)
Through Oct. 7: To be announced.
From Oct. 8: "Morning Mist" (1980; Lauro Antonio; in Portuguese).

R.K.O. Century Art, 36 E. 8th. (473-7014)
Through Oct. 7: "Chariots of Fire" (†).
From Oct. 8: "Return of the Secaucus 7" (1980; John Sayles).

St. Marks Cinema, 2nd Ave. at 8th. (533-9292)
Through Oct. 7: "Diner (†) and "The French Lieutenant's Woman" (†).
Oct. 8-14: "The World According to Garp" (†) and "Personal Best" (†).
From Oct. 15: To be announced.

Gramercy, Lexington at 23rd. (475-1660)
Through Oct. 7: "On Golden Pond" (†).
From Oct. 8: "La Cage aux Folles" (†).

Bay Cinema, 2nd Ave. at 32nd. (679-0160)
"E.T. The Extra-Terrestrial" (†).

Murray Hill, 160 E. 34th. (685-7652)
Through Oct. 7: "Hey Good Lookin' " (Ralph Bakshi), an animated film.
From Oct. 8: "Richard Pryor Live on the Sunset Strip" (†).

Loews 34th Street Showplace, 238 E. 34th. (532-5544)
Theatre 1: "Tempest" (†).
Theatre 2: "My Favorite Year" (†).
Theatre 3: Through Oct. 7: "Amityville II: The Possession" (Damiano Damiani), with Burt Young and Rutanya Alda. From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.

34th St. East, 241 E. 34th. (683-0255)
"An Officer and a Gentleman" (†).

Eastside Cinema, 3rd Ave. at 55th. (755-3020)
"La Cage aux Folles" (†).

Sutton, 3rd Ave. at 57th. (759-1411)
"Moonlighting" (Jerzy Skolimowski), with Jeremy Irons.

Gotham Cinema, 3rd Ave. at 58th. (759-2262)
Through Oct. 7: "Star Wars" (†).
From Oct. 8: "I, the Jury" (Richard T. Heffron), with Armand Assante.

Plaza, 42 E. 58th. (355-3320)
"Diva" (†).

Manhattan I and 2, 3rd Ave. at 59th. (935-6420)
Theatre 1: "The Chosen" (Jeremy Paul Kagan), with Maximilian Schell and Rod Steiger.
Theatre 2: Through Oct. 7: "Hey Good Lookin' " (Ralph Bakshi), an animated film. From Oct. 8: "Le Beau Mariage" (†).

Baronet and Coronet, 3rd Ave. at 59th. (355-1663)
Theatre 1: Through Oct. 7: "L'Adolescente" (Jeanne Moreau; in French), with Simone Signoret. From Oct. 8: "Lookin' to Get Out" (Hal Ashby), with Jon Voight and Ann-Margret.
Theatre 2: "An Officer and a Gentleman" (†).

D. W. Griffith, 235 E. 59th. (759-4630)
Through Oct. 13: "Last Tango in Paris" (†).
From Oct. 14: "The Mango Tree" (Kevin Dobson; an Australian film), with Geraldine Fitzgerald.

Cinema I and II, 3rd Ave. at 60th. (753-6022/0774)
Theatre 1: "Tex" (†).
Theatre 2: Through Oct. 7: "Le Beau Mariage" (†). From Oct. 8: "Yol" (Yilmaz Güney; in Turkish).

Gemini I and 2, 2nd Ave. at 64th. (832-1670)
Theatre 1: Through Oct. 7: "On Golden Pond" (†). From Oct. 8: "Goin' All the Way."
Theatre 2: Through Oct. 7: "Chariots of Fire" (†). From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.

Beekman, 2nd Ave. at 66th. (737-2622)
Through Oct. 14: "The World According to Garp" (†).
From Oct. 15: "Love Child" (Larry Peerce), with Amy Madigan and Mackenzie Phillips.

Loews New York Twin I and 2, 2nd Ave. at 67th. (744-7339)
Theatre 1: "Tempest" (†).
Theatre 2: "E.T. The Extra-Terrestrial" (†).

68th St. Playhouse, 3rd Ave. at 68th. (734-0302)
"Eating Raoul" (Paul Bartel), with Bartel and Mary Woronov.

Loews Tower East, 3rd Ave. at 71st. (879-1313)
"My Favorite Year" (†).

72nd Street East, 1st Ave. at 72nd. (288-9304; Mondays through Thursdays, theatre opens in the late afternoon.)
Through Oct. 7: "The Road Warrior" (†).
Oct. 8-14: "Diner" (†).
From Oct. 15: To be announced.

U. A. 85th St. East, 1st Ave. at 85th. (249-5100)
Through Oct. 7: "Goin' All the Way."
From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.

Loews Orpheum I and 2, 3rd Ave. at 86th. (289-4607)
Theatre 1: Through Oct. 7: "Fast Times at Ridgemont High" (Amy Heckerling), with Sean Penn. From Oct. 8: "Richard Pryor Live on the Sunset Strip" (†); and "Cheech and Chong's Nice Dreams" (Thomas Chong).
Theatre 2: "Amityville II: The Possession" (Damiano Damiani), with Burt Young and Rutanya Alda.

86th St. East, 3rd Ave. at 86th. (249-1144)
Through Oct. 7: "On Golden Pond" (†).
From Oct. 8: To be announced.

R.K.O. Century 86th St. Twin, Lexington at 86th. (289-8900)
Theatre 1: Through Oct. 7: "Chariots of Fire" (†). From Oct. 8: "I, the Jury" (Richard T. Heffron), with Armand Assante.
Theatre 2: Through Oct. 7: "Hey Good Lookin' " (Ralph Bakshi), an animated film. From Oct. 8: To be announced.

WEST SIDE

Film Forum I and 2, 57 Watts St. (431-1590; Mondays through Fridays, theatre opens in the late afternoon.)
Theatre 1: "Celeste" (1981; directed by Percy Adlon; in German), with Eva Mattes and Jurgen Arndt.
Theatre 2: Through Oct. 7: "The Wrong Move" (1975; Wim Wenders; in German), with Rudiger Vogeler. From Oct. 8: "The American Friend" (†).

Waverly I and 2, 6th Ave. at 3rd. (929-8037)
Theatre 1: "Burden of Dreams" (Les Blank), a documentary.
Theatre 2: "Tempest" (†).

Greenwich Playhouse I and 2, Greenwich Ave. at 12th. (929-3350)
Theatre 1: Through Oct. 7: "Hair" (†). From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.
Theatre 2: "Barbarosa" (†).

Quad Cinema, 34 W. 13th. (255-8800)
Theatre 1: Through Oct. 7: "Ciao! Manhattan" (1973; John Palmer and David Weisman). From Oct. 8: "Xica" (1976; Carlos Diegues; a Brazilian film, in Portuguese), with Zeze Motta.
Theatre 2: "Chilly Scenes of Winter" ("Head Over Heels;" 1979; Joan Micklin Silver), with John Heard and Mary Beth Hurt.
Theatre 3: "Mephisto" (†).
Theatre 4: Through Oct. 14: "Demon Pond" (Masahiro Shinoda; in Japanese), with Tamasaburo Bando. From Oct. 15: "The Devil's Playground" (†).

Guild, 33 W. 50th. (757-2406)
"Aida" (1954; Clemente Fracassi; in Italian and English), with Sophia Loren.

Radio City Music Hall, 6th Ave. at 50th. (757-3100)
Oct. 14-16 at 7:30 and Oct. 17 at 2:30: "Napoléon" (†).

Ziegfeld, 141 W. 54th (765-7600)
"Yes, Giorgio" (Franklin J. Schaffner), with Luciano Pavarotti and Kathryn Harrold.

Festival, 6 W. 57th. (757-2715)
Through Oct. 7: "Diner" (†).
From Oct. 8: "L'Adolescente" (Jeanne Moreau; in French), with Simone Signoret.

57th St. Playhouse, 110 W. 57th. (581-7360)
A Woody Allen Festival.

Paris, 4 W. 58th. (688-2013)
Through Oct. 10: "Josepha" (Christopher Frank; in French), with Miou-Miou and Claude Brasseur.
From Oct. 11: "Fitzcarraldo" (Werner Herzog; in German), with Klaus Kinski and Claudia Cardinale.

Cinema 3, 2 W. 59th. (752-5959)
Through Oct. 7: "Hair" (†).
From Oct. 8: To be announced.

Loews Paramount, B'way at 61st. (247-5070)
"My Favorite Year" (†).

Lincoln Plaza I, 2, and 3, B'way at 63rd. (757-2280)
Theatre 1: "Lola" (Rainer Werner Fassbinder; in German).
Theatre 2: "My Dinner with André" (†).
Theatre 3: "Gregory's Girl" (Bill Forsyth), with Gordon John Sinclair.

Cinema Studio I and 2, B'way at 66th. (877-4040)
Theatre 1: Through Oct. 7: "Xica" (1976; Carlos Diegues; a Brazilian film, in Portuguese), with Zeze Motta. From Oct. 8: "Le Beau Mariage" (†).
Theatre 2: Through Oct. 12: "Chan Is Missing" (Wayne Wang), with Wood May. From Oct. 13: "Veronika Voss" (Rainer Werner Fassbinder; in German), with Rosel Zech.

Embassy 72nd St. I and 2, B'way at 72nd. (724-6745)
Theatre 1: "Chilly Scenes of Winter" ("Head Over Heels;" 1979; Joan Micklin Silver), with John Heard and Mary Beth Hurt.
Theatre 2: "Siberiade" (1979; Andrei Mikhalkov-Konchalovsky; in Russian).

Loews 83rd Quad, B'way at 83rd. (877-3190)
Theatre 1: Through Oct. 7: "Hey Good Lookin' " (Ralph Bakshi), an animated film. From Oct. 8: To be announced.
Theatre 2: Through Oct. 7: "Das Boot" (†). From Oct. 8: To be announced.
Theatre 3: Through Oct. 7: "Tempest" (†). From Oct. 8: To be announced.
Theatre 4: Through Oct. 7: "On Golden Pond" (†). From Oct. 8: To be announced.

New Yorker I and 2, B'way at 88th. (580-7900)
Theatre 1: Through Oct. 7: "Last Tango in Paris" (†). From Oct. 8: To be announced.
Theatre 2: "Mephisto" (†).

Olympia Quad, B'way at 107th. (865-8128)
Theatre 1: "Chariots of Fire" (†) and "Personal Best" (†).
Theatre 2: Through Oct. 7: "Diner" (†) and "Rich and Famous" (†). From Oct. 8: "The World According to Garp" (†) and "Deathtrap" (†).
Theatre 3: "The Road Warrior" (†); and "Sharky's Machine" (Burt Reynolds), with Reynolds.
Theatre 4: Through Oct. 7: "Goin' All the Way." From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.

TIMES SQUARE AREA

Criterion Theatres, B'way at 44th. (582-1795)
Theatre 1: "Tempest" (†).
Theatre 2: "Rocky III" (†).
Theatre 3: "Fast Times at Ridgemont High"

GOINGS ON ABOUT TOWN

(directed by Amy Heckerling), with Sean Penn.

Theatre 4: "The Road Warrior" (†).

Theatre 5: Through Oct. 7: "Waitress!" (Samuel Weil and Michael Herz), with Jim Harris. From Oct. 8: "Fast-Walking" (James B. Harris), with James Woods and Kay Lenz.

Theatre 6: Through Oct. 7: "Chariots of Fire" (†). From Oct. 8: "Young Doctors in Love" (Garry Marshall), with Michael McKean and Sean Young.

Embassy 1, B'way at 46th. (757-2408)
Through Oct. 14: "Das Boot" (†).
From Oct. 15: "The Slayer."

Embassy 2, 3, and 4, B'way at 47th. (730-7262)

Theatre 2: Through Oct. 7: "The Soldier" (James Glickenhaus), with Ken Wahl. Oct. 8-14: "Psycho from Texas." From Oct. 15: "Das Boot"(†).

Theatre 3: "Poltergeist" (†).

Theatre 4: "Raiders of the Lost Ark" (†).

Loews Astor Plaza, B'way at 44th. (869-8340)
"An Officer and a Gentleman" (†).

Loews State 1 and 2, B'way at 45th. (582-5060)

Theatre 1: "Amityville II: The Possession" (Damiano Damiani), with Burt Young and Rutanya Alda.

Theatre 2: Through Oct. 7: "Friday the 13th, Part 3" (Steve Miner). In 3-D. From Oct. 8: "Richard Pryor Live on the Sunset Strip" (†); and "Cheech and Chong's Nice Dreams" (Thomas Chong).

Movieland, B'way at 47th. (757-8320)
"E.T. The Extra-Terrestrial" (†).

New Embassy 49th Street, Seventh Ave. at 49th. (757-7003)
Through Oct. 7: "Zapped!" (Robert J. Rosenthal), with Scott Baio and Willie Aames.
From Oct. 8: "Bambi" (†).

Rivoli 1 and 2, B'way at 49th. (247-1633)

Theatre 1: Through Oct. 7: "Giselle." Oct. 8-14: "Satan's Mistress." From Oct. 15: "The Slayer."

Theatre 2: Through Oct. 7: "On Golden Pond" (†). From Oct. 8: "Q" (Larry Cohen), with Michael Moriarty and Candy Clark.

R.K.O. Century Cinerama Twin, B'way at 47th. (975-8366/8369)

Theatre 1: "Goin' All the Way."

Theatre 2: "Pink Floyd, The Wall" (Alan Parker).

R.K.O. Century National Twin, B'way at 44th. (869-0950)

Theatre 1: Through Oct. 7: "Hey Good Lookin'" (Ralph Bakshi), an animated film. From Oct. 8: "I, the Jury" (Richard T. Heffron), with Armand Assante.

Theatre 2: "Inchon" (Terence Young), with Laurence Olivier and Jacqueline Bisset.

REVIVAL HOUSES

Agee Room, 144 Bleecker St. (473-8306; theatre opens in the late afternoon.)
"Lili Marleen" (1981; directed by Rainer Werner Fassbinder; in German), with Hanna Schygulla and Giancarlo Giannini.

Bleecker St. Cinema, 144 Bleecker St. (674-2560)

Oct. 6: "Daguerreotypes" (1975; Agnès Varda); and "Variety Lights" (1949; Federico Fellini and Alberto Lattuada; in Italian), with Giulietta Masina, Peppino de Filippo, and Carla del Poggio.

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Oct. 7: "Lions Love" (1969; Agnès Varda), with Viva, Gerome Ragni, and James Rado; and "David Holzman's Diary" (1969; Jim McBride), with L. M. Kit Carson.

Oct. 8-9: "Blow-Up" (1966; Michelangelo Antonioni), with Vanessa Redgrave and David Hemmings; and "Peeping Tom" (1960; Michael Powell), with Karl Boehm and Moira Shearer.

Oct. 10: "One Sings, the Other Doesn't" (1977; Agnès Varda; in French), with Valérie Mairesse and Thérèse Liotard; and "Sisters, or the Balance of Happiness" (1982; Margarethe von Trotta; in German), with Jutte Lampe and Gudrun Gabriel.

Oct. 11: "La Pointe-Courte" (1954; Agnès Varda; in French), with Sylvia Montfort and Philippe Noiret; and "Hiroshima, Mon Amour" (†).

Oct. 12: "The Rise of a Warlord" (1958; Tatsuo Osone; in Japanese); and "My Master—My Enemy" (1959; Tatsuo Osone; in Japanese).

Oct. 13: "La Jette" (1963; Chris Marker); "Les Carabiniers" (†); and "Le Bonheur" (†).

Oct. 14: "Cleo from 5 to 7" (1962; Agnès Varda; in French), with Corinne Marchand, Antoine Bourseiller, and Dorothée Blanck; and "Bay of the Angels" (†). Mlle. Varda will be present at 8:30.

Oct. 15: "Les Créatures" (†); and "Last Year at Marienbad" (1961; Alain Resnais; in French), with Delphine Seyrig.

Oct. 16: "Polyester" (1981; John Waters), with Divine and Tab Hunter; and "Multiple Maniacs" (1977; John Waters).

Carnegie Hall Cinema, 7th Ave. at 57th. (757-2131)

Oct. 6: "Germany in Autumn" (1977; Rainer Werner Fassbinder; in German); and "Triumph of the Will" (1936; Leni Riefenstahl), a documentary.

Oct. 7: "Kagemusha" ("The Shadow Warrior;" 1980; Akira Kurosawa; in Japanese), with Tatsuya Nakadai; and "The Men Who Tread on the Tiger's Tail" (1945; Akira Kurosawa; in Japanese).

Oct. 8: "Fellini Satyricon" (1970; Federico Fellini; in Italian); and "The White Sheik" (1951; Federico Fellini; in Italian), with Alberto Sordi, Brunella Bobo, Leopoldo Trieste, and Giulietta Masina.

Oct. 9: "Death in Venice" (1971; Luchino Visconti), with Dirk Bogarde; and "Conversation Piece" (1975; Luchino Visconti), with Burt Lancaster, Silvana Mangano, and Helmut Berger.

Oct. 10: "Eugene Onegin" (1959; in Russian), performed by the Bolshoi Theatre group; and "Yolanta" (1964; in Russian), performed by some members of the Bolshoi Opera.

Oct. 11: "The Blood of a Poet" (†); and "Les Enfants Terribles" ("The Strange Ones;" 1950; Jean-Pierre Melville; in French), with Nicole Stéphane, Edouard Dermithe, Renée Cosima, and Jacques Bernard.

Oct. 12: "The Wild Child" (†); and "Shoot the Piano Player" (1960; François Truffaut; in French), with Charles Aznavour.

Oct. 13: "Closely Watched Trains" (1966; Jiří Menzel; in Czech); and "Montenegro" (1981; Dusan Makavejev), with Susan Anspach and Erland Josephson.

Oct. 14-16: "Jules and Jim" (1962; François Truffaut; in French), with Jeanne Moreau, Oskar Werner, and Henri Serre; and "The 400 Blows" (1959; François Truffaut; in French), with Jean-Pierre Léaud.

Cinema Village, 22 E. 12th. (924-3363)

Through Oct. 7: "Kramer vs. Kramer" (1979; Robert Benton), with Dustin Hoffman, Meryl Streep, and Jane Alexander; and "Ordinary People" (1980; Robert Redford), with Donald Sutherland, Mary Tyler Moore, Timothy Hutton, and Judd Hirsch.

Oct. 8-9: "Days of Heaven" (1978; Terrence Malick), with Richard Gere, Brooke Adams, Sam Shepard, Linda Manz, and Robert Wilke; and "Badlands" (1973; Terrence Malick), with Martin Sheen and Sissy Spacek.

Oct. 10-12: "The Creature from the Black Lagoon" (1954; Jack Arnold), with Richard Carlson and Julia Adams; and "It Came from Outer Space" (1953; Jack Arnold), with Richard Carlson and Barbara Rush. Both films in 3-D.

Oct. 13-14: "And Now for Something Completely Different" (1972), selected skits from the BBC-TV series "Monty Python's Flying Circus;" and "Life of Brian" (1979; Terry Jones), with Graham Chapman, Terry Gilliam, John Cleese, and Jones.

Oct. 15-16: "Dr. Strangelove" (1964; Stanley Kubrick), with Peter Sellers, George C. Scott, and Sterling Hayden.

8th St. Playhouse, 52 W. 8th. (674-6515; Mondays through Fridays, theatre opens in the late afternoon.)

Through Oct. 7: "Goin' All the Way."

Oct. 8-9: "The War at Home" (1980; Glenn Silber and Barry Alexander Brown), a documentary; and "Soldier Girls" (1982; Nicholas Broomfield and Joan Churchill), a documentary.

Oct. 10-11: "The Wobblies" (1981; Stewart Bird and Deborah Shaffer), a documentary; and "Northern Lights" (1979; John Hanson and Rob Nilsson).

Oct. 12: "Impostors" (1981; Mark Rappaport), with Peter Evans and Charles Ludlam; and "Casual Relations" (1982; Mark Rappaport).

Oct. 13-14: "Gal Young Un" (1981; Victor Nunez), with David Peck; and "Alambrista" (1978; Robert M. Young), with Domingo Ambriz, Trinidad Silva, and Ned Beatty.

Oct. 15-16: "The Life and Times of Rosie the Riveter" (1981; Connie Field), a documentary; and "Willmar 8" (1982; Lee Grant).

Hollywood Twin Cinema 1, 8th Ave. at 47th (246-0717)

Oct. 6: "Butch Cassidy and the Sundance Kid" (1969; George Roy Hill), with Paul Newman, Robert Redford, and Katharine Ross; and "The Sting" (1973; George Roy Hill), with Paul Newman, Robert Redford, and Robert Shaw.

Oct. 7-9: "A Streetcar Named Desire" (1951; Elia Kazan), with Vivien Leigh, Marlon Brando, Kim Hunter, and Karl Malden; and "On the Waterfront" (1954; Elia Kazan), with Marlon Brando, Lee J. Cobb, Eva Marie Saint, Karl Malden, and Rod Steiger.

Oct. 10-11: "Ticket to Heaven" (1981; Ralph L. Thomas), with Nick Mancuso and Saul Rubinek; and "Lili Marleen" (1981; Rainer Werner Fassbinder; in German), with Hanna Schygulla and Giancarlo Giannini.

Oct. 12-13: "Pink Flamingos" (1974; John Waters) and "Female Trouble" (1975; John Waters), both films with Divine.

Oct. 14-16: "2001: A Space Odyssey" (1968; Stanley Kubrick), with Keir Dullea and Gary Lockwood; and "Alien" (1979; Ridley Scott), with Tom Skerritt, Sigourney Weaver, and Veronica Cartwright.

Hollywood Twin Cinema 2, 8th Ave. at 47th. (246-0717)

Through Oct. 7: "A King in New York" (1957; Charlie Chaplin), with Chaplin; and

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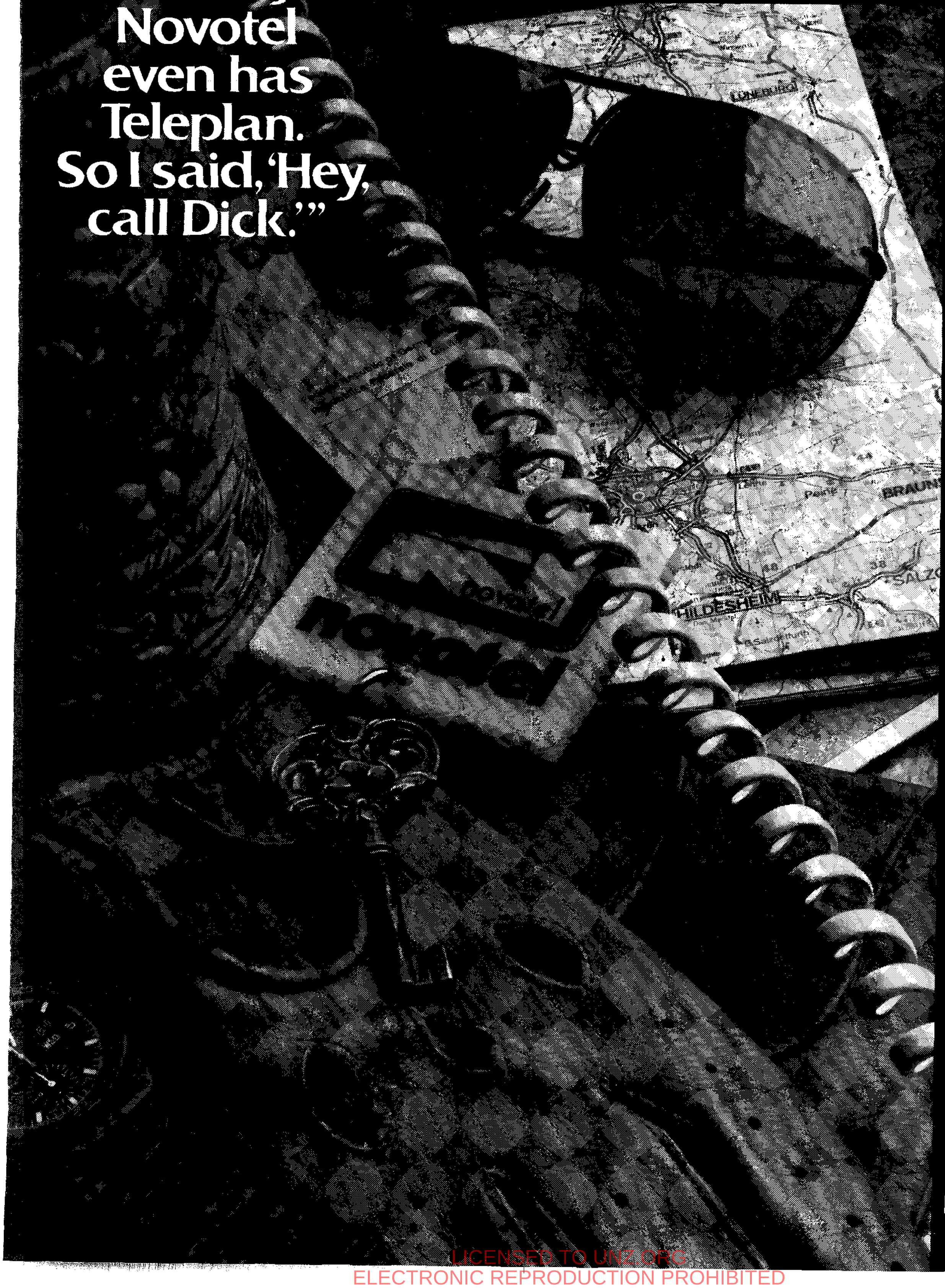

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"A Woman of Paris" (1923; Charlie Chaplin; a silent film), with Edna Purviance, Adolphe Menjou, and Carl Miller.
Oct. 8-14: "The World According to Garp" (†) and "Deathtrap" (†).
From Oct. 15: To be announced.

Metro Cinema, B'way at 99th. (222-1200)
Oct. 6: "Tokyo Story" (1953; Yasujiro Ozu; in Japanese); and "A Geisha" (1953; Kenji Mizoguchi; in Japanese).
Oct. 7: "Claire's Knee" (1970; Eric Rohmer; in French), with Jean-Claude Brialy and Béatrice Romand; and "Le Fantôme de la Liberté" (1974; Luis Buñuel; in French), with Jean-Claude Brialy, Monica Vitti, and Adriana Asti.
Oct. 8: "An American Werewolf in London" (1981; John Landis), with David Naughton, Jenny Agutter, and Griffin Dunne; and "The Howling" (1981; Joe Dante), with Dee Wallace and Patrick Macnee.
Oct. 9: "Cabaret" (1972; Bob Fosse), with Liza Minnelli, Michael York, and Joel Grey; and "Lili Marleen" (1981; Rainer Werner Fassbinder; in German), with Hanna Schygulla and Giancarlo Giannini.
Oct. 10: "Some Like It Hot" (1959; Billy Wilder), with Marilyn Monroe, Tony Curtis, and Jack Lemmon; and "Arthur" (1981; Steve Gordon), with Dudley Moore, Liza Minnelli, and John Gielgud.
Oct. 11: "Day for Night" (†); and "The Woman Next Door" (1981; François Truffaut; in French), with Gérard Depardieu and Fanny Ardant.
Oct. 12: "Laura" (1944; Otto Preminger), with Gene Tierney, Clifton Webb, Vincent Price, Dana Andrews, and Judith Anderson; and "Touch of Evil" (1958; Orson Welles), with Welles, Charlton Heston, and Janet Leigh.
Oct. 13: "Sandra" (†); and "Vanina Vanini" (1961; Roberto Rossellini; in Italian).
Oct. 14: "Rebel Without a Cause" (1955; Nicholas Ray), with James Dean, Natalie Wood, Sal Mineo, Corey Allen, and Nick Adams; and "East of Eden" (1955; Elia Kazan), with Julie Harris, James Dean, Raymond Massey, and Richard Davalos.
Oct. 15: "The Last Waltz" (1978; Martin Scorsese), with The Band; and "Gimme Shelter" (1970; Maysles brothers), about the Rolling Stones concert at Altamont.
Oct. 16: "A Night at the Opera" (1935) and "A Day at the Races" (1937), both films directed by Sam Wood, with the Marx Brothers.

Regency, B'way at 67th. (724-3700)
Through Oct. 9: "Spellbound" (1945; Alfred Hitchcock), with Ingrid Bergman, Gregory Peck, Michael Chekhov, John Emery, and Leo G. Carroll; and "Notorious" (1946; Alfred Hitchcock), with Cary Grant, Ingrid Bergman, Claude Rains, and Louis Calhern.
Oct. 10-11: "Flesh and the Devil" (†); and "Grand Hotel" (1932; Edmund Goulding), with Greta Garbo, John Barrymore, Joan Crawford, and Wallace Beery.
Oct. 12-13: "Stromboli" (1950; Roberto Rossellini), in Italian), with Ingrid Bergman; and "A Voyage to Italy" (†).
Oct. 14-16: "Anna Christie" (1930; Clarence Brown), with Greta Garbo, Charles Bickford, Marie Dressler, and George F. Marion; and "Susan Lenox, Her Fall and Rise" (1931; Robert Z. Leonard), with Greta Garbo, Clark Gable, and Alan Hale.

Thalia, B'way at 95th. (222-3370)
Oct. 6: "Bread and Chocolate" (1974; Franco Brusati; in Italian), with Nino Manfredi and Anna Karina; and "Shoe-Shine" (1946; Vittorio De Sica; in Italian).
Oct. 7: "Papillon" (1973; Franklin Schaffner), with Steve McQueen and Dustin Hoffman; and "Soldier in the Rain" (1963; Ralph Nelson), with Jackie Gleason, Steve McQueen, and Tuesday Weld.
Oct. 8-9: "Metamorphoses" (1977; in Japanese), an animated film; and "Allegro Non Troppo" (1977; Bruno Bozzetto; in Italian), a six-episode animated and live-action film musical.
Oct. 10: "The Bicycle Thief" (1949; Vittorio De Sica; in Italian); and "The Roof" (1957; Vittorio De Sica; in Italian), with Gabriella Pallotti.
Oct. 11: "Five Easy Pieces" (1970; Bob Rafelson), with Jack Nicholson; and "The Last Detail" (1974; Hal Ashby), with Jack Nicholson, Otis Young, and Randy Quaid.
Oct. 12: "Gates of Paris" (†); "Love and the Frenchwoman" (1961; in French), with Martine Carol, Dany Robin, and François Meurisse; and "Angel and Sinner" (1945; Christian-Jaque; in French), with Micheline Presline and Louis Salou.
Oct. 13: "Room at the Top" (†); and "Life at the Top" (1965; Ted Kotcheff), with Laurence Harvey, Jean Simmons, Honor Blackman, and Donald Wolfit.
Oct. 14: "The Golden Age of Second Ave." (1969), a documentary; and "Hester Street" (†).
Oct. 15-16: "My Brilliant Career" (1980; Gilliam Armstrong; an Australian film), with Judy Davis and Sam Neill; and "The Last Wave" (1978; Peter Weir; an Australian film), with Richard Chamberlain, Gulpilil, Nandjiwarra Amagula, and Olivia Hamnett.

Theatre 80 St. Marks, 80 St. Marks Pl. (254-7400)
Oct. 6: "The General" (1926; Buster Keaton and Clyde Bruckman; a silent film), with Keaton, Marian Mack, and Glenn Cavender; and "Steamboat Bill, Jr." (1927; Charles Riesner; a silent film), with Buster Keaton, Marion Byron, and Tom Lewis.
Oct. 7: "Women in Love" (1970; Ken Russell), with Alan Bates, Oliver Reed, and Glenda Jackson; and "The Virgin and the Gypsy" (1970; Christopher Miles), with Joanna Shimkus, Franco Nero, and Maurice Denham.
Oct. 8-9: "Charlie Chan's Secret" (1936; Gordon Wiles), with Warner Oland as the detective; and "Charlie Chan at the Wax Museum" (1940; Lynn Shores), with Sidney Toler as the detective.
Oct. 10-11: "The Heiress" (1949; William Wyler), with Olivia de Havilland, Montgomery Clift, and Ralph Richardson; and "A Place in the Sun" (1951; George Stevens), with Montgomery Clift, Elizabeth Taylor, and Shelley Winters.
Oct. 12: "A Stolen Life" (1946; Curtis Bernhardt), with Bette Davis, Glenn Ford, Dane Clark, and Walter Brennan; and "Deception" (1946; Irving Rapper), with Bette Davis and Paul Henreid.
Oct. 13: "A Star Is Born" (1937; William Wellman), with Janet Gaynor and Fredric March; and "Seventh Heaven" (1927; Frank Borzage; a silent film), with Janet Gaynor and Charles Farrell.
Oct. 14: "Valley of the Dolls" (1967; Mark Robson), with Barbara Parkins, Patty Duke, Sharon Tate, and Susan Hayward; and "I Can Get It for You Wholesale" (1951; Michael Gordon), with Susan Hayward, Dan Dailey, and Sam Jaffe.
Oct. 15-16: "This Gun for Hire" (1942; Frank Tuttle), with Veronica Lake and Alan Ladd; and "The Glass Key" (1942; Stuart Heisler), with Brian Donlevy, Veronica Lake, and Alan Ladd.

FILM LIBRARIES, ETC.

Whitney Museum, Madison Ave. at 75th St. (570-0537)—Through Oct. 24: "Drive-In: Second Feature" (1982; directed by Roger Welch), a film-and-sculpture installation. Continuous showings from noon to 6 (Tuesday evenings until 8). Closed Mondays.

New York Film Festival—The final programs in a series of international films—At **alice tully hall:** Oct. 6 at 6:15: "The Light Ahead" (Edgar G. Ulmer; United States; 1939; in Yiddish). . . . ¶ Oct. 6 at 9:30 and Oct. 7 at 6:15: "Yol" (Yilmaz Güney; Turkey). . . . ¶ Oct. 7 at 9:30: "Time Stands Still" (Péter Gothár; Hungary). . . . ¶ Oct. 8 at 6:15: "Dark Circle" (Judy Irving and Chris Beaver; United States). . . . ¶ Oct. 8 at 9:30 and Oct. 9 at 12:30: "One Man's War" (Edgardo Cozarinsky; France). . . . ¶ Oct. 9 at 3: "Time Stands Still." . . . ¶ Oct. 9 at 6: "Before the Nickelodeon" (Charles Musser; United States) and "Arshile Gorky" (Charlotte Zwerin; United States). . . . ¶ Oct. 9 at 9: "Little People" (Jan Krawitz and Thomas Ott; United States). . . . **avery fisher hall:** Oct. 10 at 8:30: "Fitzcarraldo" (Werner Herzog; West Germany). (For tickets, call 362-1911.)

IN BRIEF

SEE ABOVE FOR THEATRE ADDRESSES AND TELEPHONE NUMBERS.

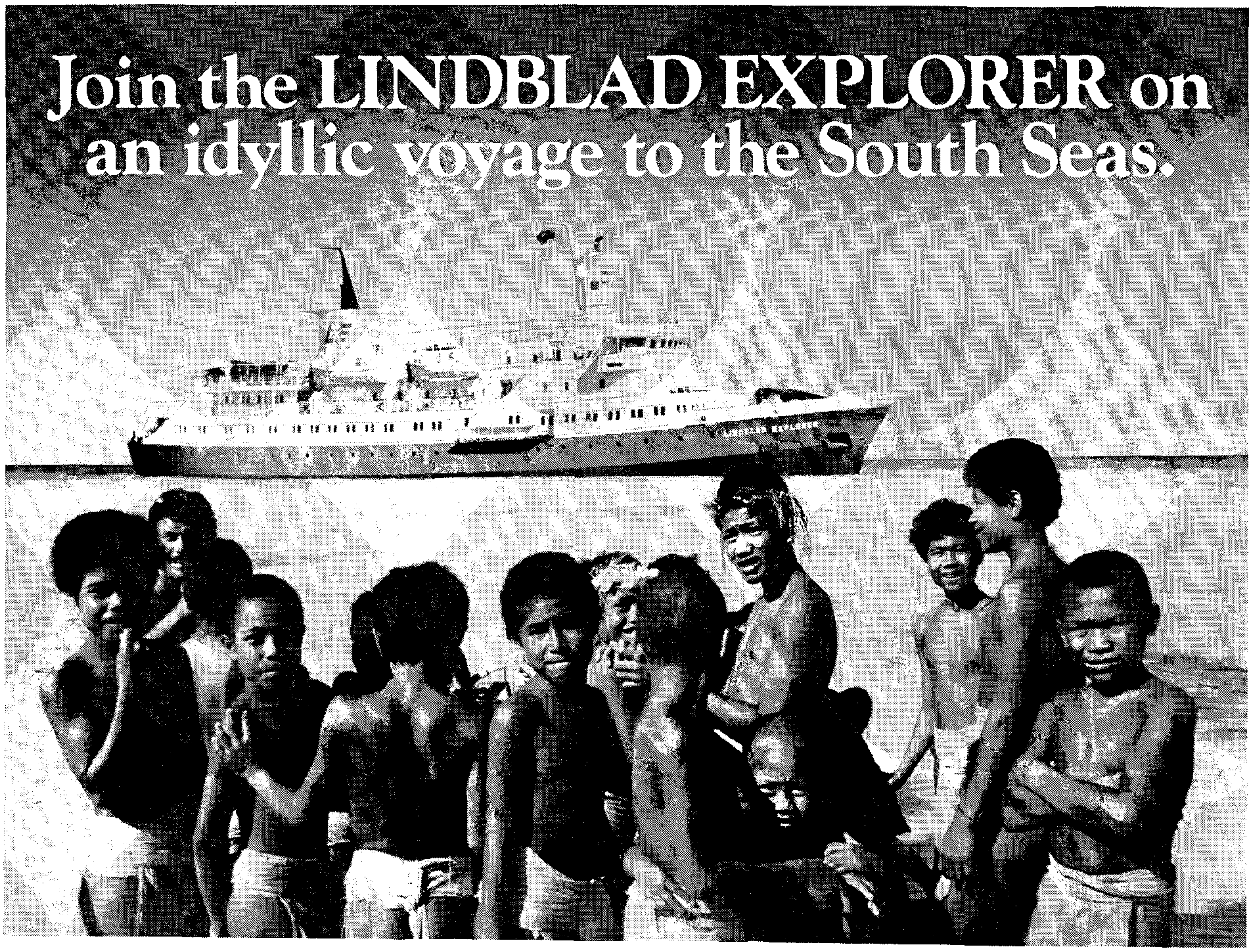
IF A MOVIE HAS BEEN REVIEWED IN THESE PAGES DURING THE PAST TWO YEARS, THE DATE OF ITS REVIEW IS GIVEN.

The American Friend (1977)—The young German director Wim Wenders is attracted to the idea of telling a story, but he can't quite keep his mind on it; he overdoses on mood—poetic urban masochism—in this adaptation of Patricia Highsmith's crime novel "Ripley's Game." Wenders' unsettling compositions are neurotically beautiful visions of a disordered world, but the film doesn't have the nasty, pleasurable cleverness of a good thriller; dramatically, it's stagnant—inverted Wagnerianism. Bruno Ganz is impressive as the watchful, anxious-eyed hero; with more than a half-dozen directors (including Dennis Hopper, Nicholas Ray, Gérard Blain, and Samuel Fuller) playing crooks. (Film Forum; starting Oct. 8.)

Bambi (1942)—The animals in this animated Disney feature have Walter Keane eyes and fluttering long eyelashes. None has a gooier gaze than the little fawn Bambi. His relationship with his mother is tender and close, and when the mother is killed by hunters, small children in the audience frequently scream and cry. It all ends happily when Bambi, grown to staghood, marries the virginally sweet doe Faline. The picture is a classic of sorts, if only for the uncannily awful sound of the young woodland creatures in conversation; when puberty sets in and these voices suddenly change, Walt Disney begins to seem as berserk as Busby Berkeley. Still, there's no denying that for many people some sequences—such as Bambi's birth—have an enduring primal power. From the Felix Salten novel. (New Embassy 49th Street; starting Oct. 8.)

Barbarosa—The most spirited and satisfying new Western epic in several years. Directed by the Australian Fred Schepisi, from a script by the Texas-born William D. Wittliff, it has some of the psychedelic ambience of Sergio Leone spaghetti Westerns—the West seen in a fever. Willie Nelson has a great screen presence as the legendary outlaw Barbarosa, a desert rat mythologized by those who grow up fearing him. The period is the eighteen-eighties and the film was shot along the Rio Grande, in an area of extremes that's either Texas mountains or mustard-colored mesa and desert. Gary Busey plays a lumpy, raw farm boy who joins up with Barbarosa and without intending to becomes an apprentice desperado. Working with the cinematographer Ian Baker and the composer Bruce Smeaton, Schepisi shows the fullness of his approach to moviemaking. With Gilbert Roland, Howland Chamberlin, Isela Vega, Danny De La Paz, and George Voskovec. (Reviewed in our issue of 8/9/82.) (Greenwich Playhouse.)

Bay of the Angels (1962)—What would this film be like without Jeanne Moreau? Even if the dialogue and direction were the same, the meanings wouldn't be. The picture is almost an emanation of Moreau, is inconceivable without her. Written and directed by Jacques Demy, it's rather like a French attempt to purify, to get to the essence of a Warners movie of the thirties. Demy not only gets to it, he goes beyond it. His virtuoso sense of film rhythm turns this flimsy, capricious story about a gambling lady into a lyrical study in compulsion and luck. The concept of gambling as almost total spontaneity and irresponsibility—as giving in to chance (as if that were the most complete acceptance of life)—is oddly suggestive, and we begin, in this film, to feel its appeal, to feel that gambling is a bum's existentialism. And Jeanne Moreau, in a very Bette Davis sort of way, dramatizes herself superbly. (There are times when she's as white and unreal as Constance Bennett in her satins and you think how marvellous she'd be singing "The Boulevard of Broken Dreams.") This is a magical, whirling little film, a triumph of style, even though it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GOINGS ON ABOUT TOWN

runs down to nothing in the last, too quick, too ambiguous shot. With Claude Mann. Photographed, in dazzling sunlight, by Jean Rabier, and with one of Michel Legrand's best scores. In French. (Bleecker St. Cinema; Oct. 14.)

Le Beau Mariage—Béatrice Romand plays Eric Rohmer's heroine, Sabine, a bright working girl who is studying for her master's in art history. At twenty-five, Sabine is weary of freedom and insecurity and married men; she wants to be taken care of and to make a home for a man and have children. When she meets a lawyer who she decides is her type, she goes after him so briskly and transparently that she might seem a madwoman, except that she has such a dumb little obsession. There's no passion in it, and she's an orderly little campaigner; the film is full of glib, precise chatter and the clickety-click of Sabine's high heels. Rohmer, who wrote the script, never gives us a clue to why she doesn't draw upon her knowledge of men to be more elusive. Since we see her humiliating herself, she becomes poignant, and at the end, when she comes to her senses, we want to see her play the game right. But what we get seems only the first act—the movie ends just when it begins to be interesting. Seriocomic triviality has become Rohmer's specialty. His sensibility would be easier to take if he'd stop directing to a metronome. In French. (10/4/82) (Cinema II; through Oct. 7. . . . ¶ Manhattan, and Cinema Studio; starting Oct. 8.)

The Blood of a Poet (1930)—Jean Cocteau's first film is an enigmatic account of a poet's dreams and ecstasies and obsession with the unknown, composed in four illogical, timeless sequences that happen in the instant that a chimney topples. Here is Cocteau's own interpretation: "The poet's solitude is so great, he so lives what he creates, that the mouth of one of his creations lives in his hand like a wound, and that he loves this mouth, that he loves himself in short, that he wakes up in the morning with this mouth against him like a pickup, that he tries to get rid of it, and that he gets rid of it on a dead statue—and that this statue begins to live—and that it takes its revenge, and that it sets him off upon awful adventures. I can tell you that the snowball fight is the poet's childhood, and that when he plays the games of cards with his Glory, with his Destiny, he cheats by taking from his childhood that which he should draw from within himself." The first time you see this film, you're likely to find it silly, auto-erotic, static, absurd, and you may feel cheated after having heard so much about it. But though it may seem to have no depth, you're not likely to forget it—it has a suggestiveness unlike any other film. Almost twenty years later, in "Orpheus," Cocteau orchestrated the themes of the dreams and ecstasies of the poet. Music by Georges Auric. Photography by Georges Périnal. In French. (Carnegie Hall Cinema; Oct. 11.)

Le Bonheur (1966)—A young Parisian cabinetmaker loves his wife and loves his mistress. He thinks this should make everyone very happy, but he is wrong. A strange and beautiful picture, written and directed by Agnès Varda. In French. (Bleecker St. Cinema; Oct. 13.)

Das Boot (The Boat)—If you want to learn about the tedium of life in a German submarine, this is the movie that will give it to you—you're trapped for two and a half hours in a Second World War U-boat that's ten feet wide by a hundred and fifty feet long. And with men who have the same kind of anti-war nobility that the men had in American submarine epics of the fifties. (About ten minutes in, you may feel that you've already seen this picture.) It even has the same kind of heroic man-of-few-words-but-strong-deep-feelings captain (Jurgen Prochnow). The camera keeps moving, yet the whole feeling is claustrophobic—the movement of the camera (deliberately) calls *more* attention to how cramped everything is. The director, Wolfgang Petersen, did the adaptation of the best-selling autobiographical novel by Lothar-Günther Buchheim, a former war correspondent. The set was constructed at the Bavarian Studios in Munich. The movie "Das Boot" is in German; the dubbed-into-English version (being shown here) is called "The Boat." (Loews 83rd Quad; through Oct. 7. . . . ¶ Embassy 1; through Oct. 14. . . . ¶ Embassy; starting Oct. 15.)

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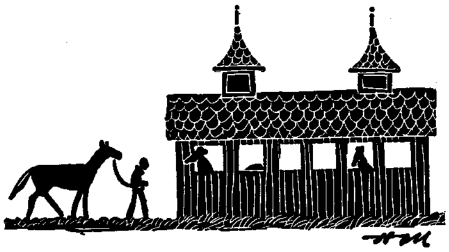
La Cage aux Folles (1979)—A brilliant comedy about a pair of aging homosexuals, one of whom has had a son; the son is eager to marry, his fiancée is extremely conventional, and her family wishes to make the acquaintance of his family. Trouble in paradise, here known as Saint-Tropez. Edouard Molinaro directed, with Michel Serrault and Ugo Tognazzi. In French. (Eastside Cinema. . . . ¶ Gramercy; starting Oct. 8.)

Les Carabiniers (1963)—Jean-Luc Godard's film about two blank-faced conscripts who go off to war thinking it a great opportunity to get rich is oddly distanced and pedagogical, and it stumbles along—in a deliberately uninvolving style—for its first hour. But when the men return with their loot, in the form of picture postcards, the sequence is conceived with great wit and is brilliantly prolonged; this huge joke seems to be what everything else was heading toward. For a viewer, the elation of this sequence can make the whole experience seem original and exciting. From a script by Godard, Jean Gruault, and Roberto Rossellini, based on the play "I Carabinieri" by Benjamino Joppolo. In French. (Bleecker St. Cinema; Oct. 13.)

Chariots of Fire (1981)—The story of the courage and the triumph of two young runners who represented Britain in the 1924 Olympics, held in Paris. The runners—Harold Abrahams (Ben Cross), a wealthy Jewish boy who is a student at Cambridge, and Eric Liddell (Ian Charleson), a Scottish divinity student—win because they have something to run for. The unbelievably self-possessed Abrahams runs against anti-Semitic snobbery and prejudices, represented here, rather grandly, by Lindsay Anderson and John Gielgud, as a pair of gargoyles—masters at Cambridge. The devout Liddell runs in an ecstatic state, because "when I run, I can feel His pleasure," and the film is structured so that its big crisis comes when Liddell's qualifying heat is scheduled for a Sunday and he refuses to take part. The picture is a piece of technological lyricism held together by the glue of simpleminded heroic sentiment; basically, its appeal is in watching a couple of guys win their races. One good scene: a charming flirtation between Abrahams and a young D'Oyly Carte singer-actress, played by Alice Krige, whose cooing, artificial style is a little reminiscent of Joan Greenwood's purring. Produced by David Puttnam, directed by Hugh Hudson (it's his début film), from Colin Welland's script. Cinematography by David Watkin; music by Vangelis Papathanassiou. With Ian Holm, Cheryl Campbell, Dennis Christopher, Brad Davis, Nigel Havers, Nicholas Farrell, Nigel Davenport, Patrick Magee, and David Yelland as the Prince of Wales. (10/26/81) (Olympia Quad. . . . ¶ R.K.O. Century Art, Gemini, R.K.O. Century 86th St. Twin, and Criterion Theatres; through Oct. 7.)

Les Créatures (1966)—Michel Piccoli plays a writer with a pregnant wife (Catherine Deneuve, looking inhumanly beautiful) who has lost the power of speech; they're in an island house where he plans to work on a novel. Complicated, full of gamesmanship and some seven subplots and mystical sci-fi, and maybe only for those who like to play chess—if for them. (The film features a magical chessboard with live chessmen.) Agnès Varda wrote and directed. With Eva Dahlbeck, Jacques Charrier, and Nino Castelnuovo. In French. (Bleecker St. Cinema; Oct. 15.)



Day for Night (1973)—François Truffaut made this tribute to the conventional movies that once gave him pleasure, and apparently still did. It's a backstage story about the making of an American-financed movie, "Meet Pamela," set on the Riviera, in which Jacqueline Bisset, married to Jean-Pierre Léaud, falls in love with his father, Jean-Pierre Aumont. Truffaut, who plays the efficient and rather colorless director of "Meet Pamela," brings it all off gracefully. Among the performers, Valentina Cortese is the liveliest, in her juicy, if familiar, theatrical turn as a drunken has-been star, and Léaud's elfin piques are amusing enough. Truffaut's approach is very childlike; it's filled with a deeply innocent love of the magic of moviemaking. But the large cast is very ordinary and the film is too fan-magazinish in approach and too tenderly shallow. Also with Nathalie Baye and Alexandra Stewart. From a script by Truffaut, Jean-Louis Richard, and Suzanne Schiffman. In French. (Metro Cinema; Oct. 11.)

Deathtrap—This movie is for people who dream of seeing "Sleuth" again—there must be at least one or two of them. A once successful playwright (Michael Caine), who specializes in thrillers, plans to murder a former student (Christopher Reeve) and steal his flawless play, "Deathtrap." The director, Sidney Lumet, and the screenwriter, Jay Presson Allen, have decided to make the movie version of Ira Levin's wisecracking whodunit as realistic as possible. What this comes down to is a broad, obvious movie that looks like an ugly play and appears to be a vile version of life, and at the end the staging and editing are so quick and muddled that you can't be sure what's happening. With Dyan Cannon, Irene Worth, and Henry Jones. (4/5/82) (Olympia Quad; starting Oct. 8. . . . ¶ Hollywood Twin Cinema 2; Oct. 8-14.)

The Devil's Playground (1976)—The Marist brothers at the Catholic seminary around which most of the film is set seem to be looking into themselves, puzzled and deeply disappointed by their own physicality. And the pubescent boys gaze with thunderstruck eyes at the eruptions of their bodies. This semi-autobiographical first feature by the Australian writer-director Fred Schepisi is always on the borderline of comedy, because they have all—monks and seminarians alike—been taught that "an undisciplined mind is the Devil's playground," yet they can't get their minds off their bodies. This isn't an anti-Catholic movie. Far from it. Schepisi loves these tormented comedians. But he looks at them with humorous pagan eyes. His passionate feelings are expressed visually—in his thematic use of water imagery and in the vibrancy of his color, which eroticizes the environment. He's a great filmmaker, with his own softly rhythmed style. You feel he's got the whole thing right. With the novelist Thomas Keneally as the bald and bewhiskered Father Marshall; Arthur Dignam as Brother Francine, who dreams of being underwater, surrounded by beautiful naked nymphs; and Nick Tate as Brother Victor, who goes into the city wearing civvies, picks up two women and flirts and teases right up to the verge of actual sex, and then escapes, gasping, "They nearly had me." (12/7/81) (Quad Cinema; starting Oct. 15.)

Diner—A wonderful movie, set in Baltimore in 1959. Five or six young men in their early twenties who've known each other since high school still cling to their late-night bull sessions at the diner—where, magically, they always seem to have plenty to talk about. It's like a comedy club—they take off from each other, and their conversations are all overlapping jokes that are funny without punch lines. They can sound worldly and sharp, but when these boys are out with girls they're nervous, constricted, fraudulent, half crazy. Written and directed by Barry Levinson, "Diner" is a great period piece—a look at middle-class relations between the sexes just before the sexual revolution. It features some of the best young actors in the country: Mickey Rourke, Ellen Barkin, Daniel Stern, Kevin Bacon, Steve Guttenberg, Paul Reiser, and Timothy Daly. (4/5/82) (St. Marks Cinema, Festival, and Olympia Quad; through Oct. 7. . . . ¶ 72nd Street East; Oct. 8-14.)

Diva—An up-to-the-minute romantic thriller from France, made by a new director, Jean-

Jacques Beineix, who has a fabulous camera technique and understands the pleasures to be had from a picture that doesn't take itself too seriously. The diva is an awesomely beautiful black American soprano (Wilhelmenia Fernandez) who refuses to make recordings. Frédéric Andrei is the wide-eyed eighteen-year-old postal messenger who adores her; he sneaks his Nagra tape machine into her concert in Paris so he'll be able to listen to her at home—and all hell breaks loose around him. The unfazable heroine (the fourteen-year-old Thuy An Luu) is a post-Godardian tootsie—in her short-short skirts and transparent plastic coat she's a lollipop wrapped in cellophane. The film may remind you of Welles' "Touch of Evil;" it's Welles romanticized, packaged. It's a mixture of style and chic hanky-panky, but it's genuinely sparkling. In French. (4/19/82) (Plaza.)

E.T. The Extra-Terrestrial—Steven Spielberg's movie is bathed in warmth and it seems to clear all the bad thoughts out of your head. It's the story of a ten-year-old boy, Elliott, who feels fatherless and lost because his parents have separated, and who finds a miraculous friend—an alien inadvertently left on Earth by a visiting spaceship. This fusion of science fiction and mythology is emotionally rounded and complete; it reminds you of the goofiest dreams you had as a kid, and rehabilitates them. It puts a spell on the audience; it's genuinely entrancing. The stars are Henry Thomas, as Elliott, and E.T., who was designed by Carlo Rambaldi. With Drew Barrymore, Robert Macnaughton, Dee Wallace, and Peter Coyote. The script is by Melissa Mathison. (6/14/82) (Bay Cinema, Loews New York Twin, and Movieland.)

Flesh and the Devil (1927)—Greta Garbo, with pencil-line eyebrows above sex-drugged lids, plays a bored, sensual, wicked woman in a story about sacred and profane love, derived from a novel by Hermann Sudermann. It's far from a work of art, but Garbo was a blissfully beautiful twenty-one at the time, and no other actress went at the bodies of her leading men the way she did. This time, John Gilbert and Lars Hanson each go a round with her. Clarence Brown directed; with Barbara Kent as the good girl. (Regency; Oct. 10-11.)

The French Lieutenant's Woman (1981)—Meryl Streep gives an immaculate, technically accomplished performance as Sarah Woodruff, the romantic mystery woman of John Fowles' novel, but she isn't mysterious. We're not fascinated by Sarah; she's so distanced from us that all we can do is observe how meticulous Streep—and everything else about the movie—is. Harold Pinter, the famed compressor who did the adaptation, has emptied out the story, and the director, Karel Reisz, has scrupulously filled in the space with "art;" every vocal inflection is exact, the 1867 settings seem flawless, and the cinematographer Freddie Francis's camera movements and muted colors are superbly elegant. The result is overblown spareness. It's all so controlled that everything seems to be happening punctually, even in the interpolated modern story about the actors who are performing in the movie version of Fowles' book. There are lovely moments, and a few have magical overtones, but most of the picture might be taking place in a glass case. With Jeremy Irons, Lynsey Baxter, Hilton McRae, Leo McKern, Patience Collier, Penelope Wilton, and David Warner. (In the modern scenes, Streep wears a short, straight hairdo—the most disfiguring star coiffure since Mia Farrow's thick wig in "The Great Gatsby.") (10/12/81) (St. Marks Cinema; through Oct. 7.)

Gates of Paris (1957)—An easygoing idler (Pierre Brasseur) lives off his mother and whiles away his time with drink; suddenly he is a reformed man, busy and self-important—he has found a purpose in life. The purpose is hiding a gangster-killer (Henri Vidal) from the police. René Clair's small, ironic film is set in an ancient quarter of Paris; it's almost a reverie on loneliness, and it's rather languorous, but the change in Brasseur is entertaining, and there's one marvellous scene, in which the children in the street outside the hideout enact a crime at the same time that it's of central importance inside. With the popular French singer Georges Brassens, Dany Carrel, and Raymond Bussières. Written by Clair and Jean Aurel, from René Fallet's novel "La Grande Ceinture." In French. (Thalia; Oct. 12.)

Hair (1979)—A sunny film rendering of the

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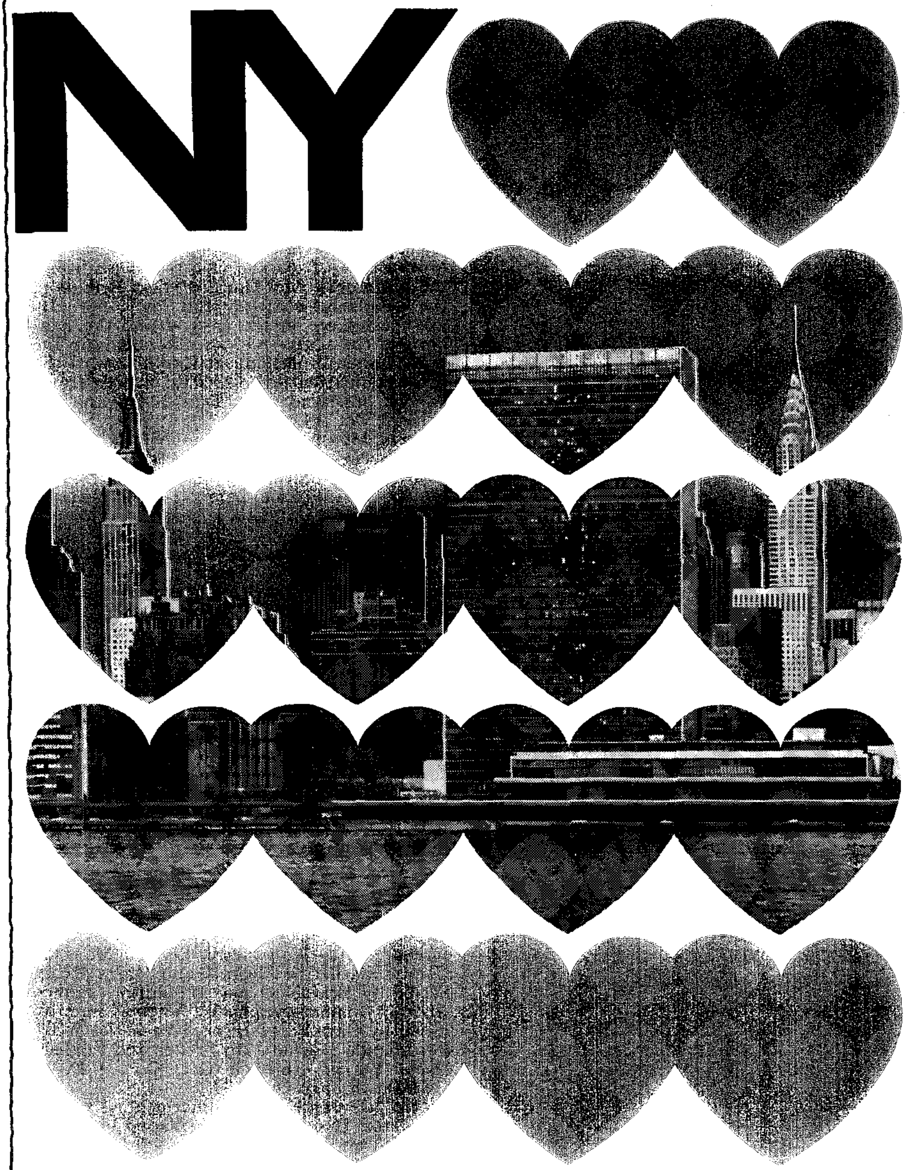

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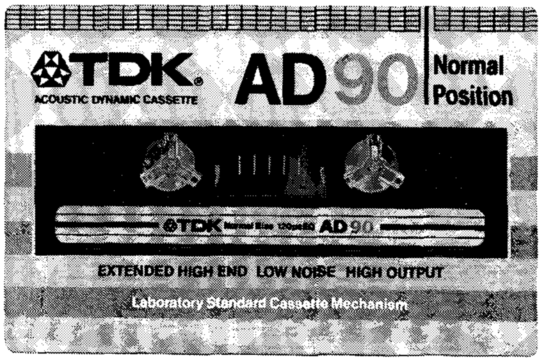
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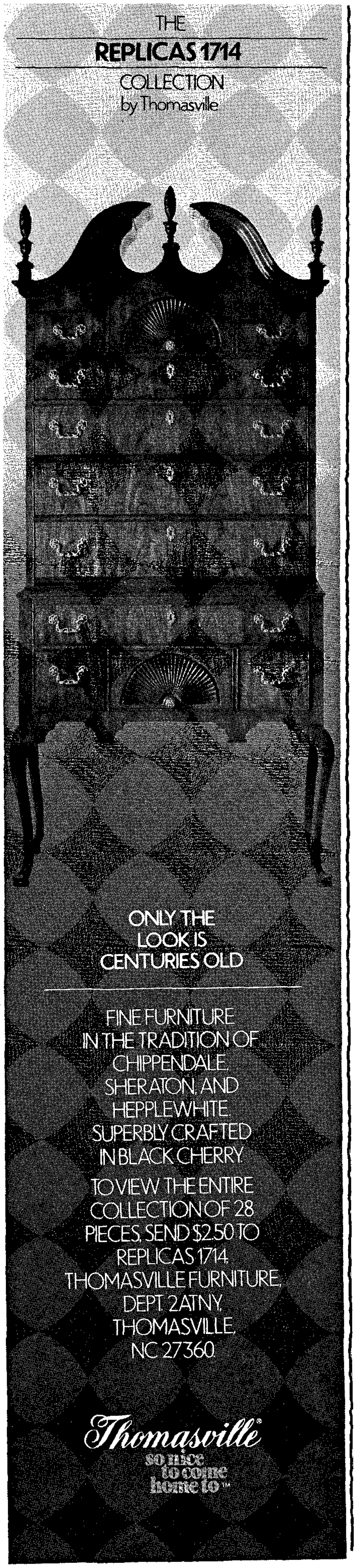

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harmonically not especially distinguished stage musical of the sixties, directed by the Czech-born Miloš Forman, who has managed—in a very Slavic way—to make a benign, small folk town of New York. (Greenwich Playhouse, and Cinema 3; through Oct. 7.)

Hester Street (1975)—A modest comedy about the assimilation process among a group of Russian-Jewish immigrants living on the lower East Side in 1896. Independently made, this first feature by the writer-director Joan Micklin Silver begins lamely, but it wins one over. Carol Kane is lovely as the timid, pious, rejected wife of a sweatshop worker who has broken away from the Old World traditions she represents. Mel Howard plays Bernstein, the scholarly boarder who loves her. Its weaknesses are in the casting and the handling of the aggressive characters, and in the thin, audience-pleasing attitudes toward the Americanization process. With Steven Keats as the husband and Dorrie Kavanaugh. (Thalia; Oct. 14.)

Hiroshima, Mon Amour (1959)—A tortured love affair between a French actress and a Japanese architect in the city that was devastated by the first atomic bomb. Alain Resnais's controversial début as a feature-film director; there is no controversy, however, about Emmanuèle Riva's splendid performance. In French. (Bleecker St. Cinema; Oct. 11.)

Last Tango in Paris (1972)—Exploitation films had been supplying mechanized sex—sex as physical stimulant without passion or emotional violence. Then, in this film, Bernardo Bertolucci used sex to express the characters' drives. Marlon Brando, as the aging American, Paul, is working out his aggression on the young bourgeois French girl, Jeanne (Maria Schneider), and the physical menace of sexuality that is emotionally charged is such a departure from everything that audiences had come to expect at the movies that the film created a sensation. It's a bold and imaginative work—a great work. When Brando improvises within Bertolucci's structure, his full art is realized; his performance is intuitive, rapt, princely. Working with Brando, Bertolucci achieves realism with the terror of actual experience still alive on the screen. With Jean-Pierre Léaud, Massimo Girotti, Catherine Allegret, and Maria Michi. Script by Bertolucci and the editor, Franco Arcalli; cinematography by Vittorio Storaro; music by Gato Barbieri; production design by Ferdinando Scarfiotti. In French and English. (New Yorker; through Oct. 7. . . . ¶ D. W. Griffith; through Oct. 13.)

Mephisto—István Szabó's indictment of a soulless actor, Hendrik Höfgen (played by Klaus Maria Brandauer), who, because he wants to go on performing, truckles to those in power and becomes the leading actor in Nazi Germany. Szabó sets up the willful, unpredictable Höfgen as a symbolic actor—a man who is merely the sum of the roles he plays offstage and on, and at the outset Brandauer suggests an *enfant terrible*, a baby-faced killer-genius, like the young Orson Welles. Höfgen isn't allowed to be a great actor, though, and he seems too small for the epic scale of the attack. The picture is like "Citizen Kane" with somebody like John Dean at the center. With Rolf Hoppe as the General, a Göring-like figure, and the superb, feline Karin Boyd as Höfgen's dancer mistress, and a multinational cast—some of them dubbed. In German. (5/17/82) (Quad Cinema, and New Yorker.)

My Dinner with André—It's like a mad tea party or a mad, modern Platonic dialogue about the meaning of life. Self-effacingly directed, by Louis Malle, it creates the illusion that we are simply listening in on a dinnertime conversation between the playwright Wallace Shawn and the former avant-garde theatre director André Gregory. Wally persuades André to tell him what he has been up to, and the suave, hawklike André, a crackpot glittery-eyed charmer, pours out the record of his transcendental experiences in Poland, in Scotland, in India and Tibet, in the Sahara, and even in Montauk, where he was buried alive in a death-and-rebirth ceremony. What he acts out for us is the questing that has torn so much of the modern theatre apart. When Wally, the pragmatist and sensualist, begins to talk, he plays warthog to André's soaring flights of mysticism. They're perfect foils. This is a bizarre and surprisingly entertaining satirical comedy: the story of the search beyond theatre turned into theatre—or, at least, into a movie. (1/4/82) (Lincoln Plaza.)

My Favorite Year—The year is 1954, when Sid Caesar was the king of live TV comedy, and this movie is a fictional treatment of life backstage during the days when many soon-to-be-famous writers worked on his shows, brainstorming together. As the brawny, truculent King Kaiser, Joe Bologna suggests an introverted ox, and Peter O'Toole is King's guest star from Hollywood—the notorious womanizing boozer Alan Swann, who is part John Barrymore and part Errol Flynn. Bologna has an authentic boss-comic aura, and O'Toole plays Swann with a funky daring that is simply astounding. Ravaged and liquefied as Swann is, he still has his feelers out—he's always aware of the impression he's making; even when Swann is drunk, he's acting a great actor drunk. This show-business farce is the first film directed by Richard Benjamin, and it's a creaky job of moviemaking, but it has a bubbling spirit; Benjamin is crazy about actors—not a bad start for a director. Bill Macy, Lainie Kazan, Cameron Mitchell, and Anne De Salvo all have a crack at fresh material. In the tricky role of the youngest of the gag writers, Mark Linn-Baker is button-eyed and skinny—a snookums; it's an inventive performance but borderline ghastly. And Jessica Harper's scenes don't pan out. But over all, it's a very funny picture. Also with Selma Diamond, Adolph Green, Lou Jacobi, Tony Di Beneditto, Gloria Stuart, and Basil Hoffman. From a terrific script by Norman Steinberg (who appears in a bit as Sandy) and Dennis Palumbo. (10/4/82) (Loews 34th Street Showplace, Loews Tower East, and Loews Paramount.)

Napoléon (1927)—Presented in a reconstructed version in 1981. Abel Gance originally made it as a six-hour silent film, in color (the prints were tinted and toned by a dye process), and with sections designed to be run on a triple-width screen, by a process called Polyvision. His conception was far more complex than what directors later did with Cinerama, since Gance frequently used the images at the left and right of the central image for contrapuntal effects—history became an avalanche of armies, battles, and crowds. The film is both avant-garde and old-fashioned. In Gance's view, Napoleon (Albert Dieudonné) is a Man of Destiny. Before that, when he's still a boy (Vladimir Roudenko), he's a Boy of Destiny. As a thinker, Gance is essentially a fantasist, a mythmaker enslaved by his own schoolboy gush. And when Napoleon is treated as the embodiment of the French Revolution you know you're in the grip of a crazy. Gance isn't rounded (as, say, Renoir was). His films are superb in glimpses or in sequences, but they're not unified by simple emotion, as Griffith's epics were. They're held together by obsession, by fervor. (When Gance tries for simple, ordinary feelings, he's usually at his worst.) But he's a great moviemaker. In the opening section, a fortresslike military school is in the distance, while in the foreground the courageous twelve-year-old Napoleon commands his outnumbered troops in a snowball fight. The camera seems to encompass miles of landscape, yet there's so much activity within the shots, and the movement of the boys is so quick and darting and funny, that the effect is of your eyes clearing—of everything becoming bright. Gance cuts from the long shots to closeups, and adds superimpositions, and then the cutting becomes fast and rhythmic, with Napoleon's face flashing by in one frame of every four, and you realize that the principal purpose of this jazzy blinking is to give you a feeling for speed and movement—and for the possibilities of the medium. Gance doesn't dawdle; he starts off with pinwheels, sparks, madness. The film was chopped down into so many different versions (some of them reëdited by Gance himself) that it took the English filmmaker and film historian Kevin Brownlow years to assemble this new, relatively complete version. Francis Ford Coppola served as impresario for its release in the United States, and a score was prepared by Carmine Coppola. With Gina Manès as Josephine, Pierre Batcheff as her lover General Hoche, Nicolas Koline as Fleuri, Annabella as his daughter Violine, Antonin Artaud as Marat, and Gance himself as Saint-Just. (2/16/81) (Radio City Music Hall; Oct. 14-17.)

An Officer and a Gentleman—This formula romantic melodrama seems to come out of a time warp, but the director, Taylor Hackford, has done a smashing job of making the retrograde love story whiz by. Richard Gere is the tightly wound-up loner who is determined to become a flier; the movie centers on his thirteen-week basic-training ordeal at Naval Aviation Officer Candidate School. Gere has a striking moment when the character cracks, after the tough drill sergeant (Louis Gossett, Jr.) has caught him in some petty chiselling and punished him. But after he has broken down he's still Richard Gere, lost in his own placid beauty. As the mill-worker heroine, Debra Winger brings the film sultriness; you pull for this heroine because her tough-chick little-girl insolence plays off the avid look in her eyes that tells you she longs to make human contact. Gossett plays the sergeant bone hard; it's a beautifully hammy austere performance. There are also impressive characterizations by David Keith and Robert Loggia. With Tony Plana as an officer candidate with a Mohawk haircut and Lisa Eilbacher as a woman candidate. The script is by Douglas Day Stewart. (8/23/82) (34th St. East, Coronet, and Loews Astor Plaza.)

On Golden Pond—The kind of uplifting twaddle that traffics heavily in rather basic symbols: the gold light on the pond stands for the sunset of life, and so on and on. Directed by Mark Rydell, from Ernest Thompson's adaptation of his own 1978 play, the movie is a doddering valentine in which Popsy Norman (Henry Fonda), who's having his eightieth birthday, and Mopsy Ethel (Katharine Hepburn), who's nearing her seventieth, crack jokes, weather domestic crises, and show us the strength of solid Yankee values. Or is it "good American stock," or Hepburn's pedigreed cheekbones? The movie is shaped so that it seems to be getting at the problems of old age (Norman's eyes and ears are failing, his memory is spotty, and his body is becoming more and more unreliable), but then Norman's crankiness is made to seem sly—a form of one-upmanship. He's meant to be a lovable curmudgeon. With Jane Fonda, who gives a tense performance in the terrible role of the neurotic daughter of the lovey-dovey old pair, and Dabney Coleman, Doug McKeon, and William Lanteau. (12/7/81) (Gramercy, Gemini, 86th St. East, Loews 83rd Quad, and Rivoli; through Oct. 7.)

Personal Best—There has probably never been a growing-up story presented on the screen so freely and uninhibitedly. Set in the world of women athletes, this film—written, produced, and directed by Robert Towne—tells most of the story nonverbally and lets its characters reveal themselves in movement. When Towne shows the two heroines (Mariel Hemingway and Patrice Donnelly) arm wrestling, he concentrates on their throbbing veins and their sinews and how the muscles play off one another. He breaks down athletic events into specific details: you watch the athletes' calves or some other part of them, and you get an exact sense of how their bodies work—it's sensual and sexual, and it's informative, too. There's an undercurrent of flabbergasted awe in this celebration of women's bodies, and everything in the movie is somatically charged. The women athletes are all great-looking and all funny, because physically they have advanced so much faster than men's thinking about them has. They razz men flirtatiously, flaunting their own strength. This is a very smart and super-subtle movie in which the authenticity of the details draws us in. It should be one of the best dating movies of all time, because it pares away all traces of self-consciousness. With Scott Glenn and Kenny Moore; cinematography by Michael Chapman, with a few scenes by Caleb Deschanel. (2/22/82) (Olympia Quad. . . . ¶ St. Marks Cinema; Oct. 8-14.)

Poltergeist—Steven Spielberg's suburban gothic about a family besieged by nasty, prankish ghosts is no more than an entertaining hash designed to spook you. It's "The Amityville Horror" done with insouciance and high-toned special effects. Because Spielberg is a dedicated craftsman and a wit, he can make a much better low-grade, adolescent entertainment than most directors. If the picture succeeds to a degree, it's because of the warmth of the family. The cool, jazzy mother (Jobeth Williams) and the blandly handsome father (Craig T. Nelson) are terrific, groovy people—they're kids at heart. The four-feet-three-inch actress Zelda Rubinstein, as the psychic Tangina who comes to "cleanse" the house, gives the movie new life and makes a large chunk of it work. With Beatrice Straight, who, as a doctor of parapsychology, bores the audience blind, and, as the two younger kids, Oliver Robins and Heather O'Rourke. The credits indicate that Tobe Hooper is the director, but Spielberg wrote the initial story, rewrote the other writers' work on the script, storyboarded the shots, produced the picture, and supervised the final edit. It appears that he also took over, in considerable part, on the set. (6/14/82) (Embassy.)

Raiders of the Lost Ark (1981)—Steven Spielberg directed this high-powered cliff-hanger about the exploits of Indiana Jones (Harrison Ford), an adventurer-archeologist. The time is 1936, and Indy, working for the United States government, is trying to find the Ark of the Covenant (a chest holding the broken stone tablets of the Ten Commandments) ahead of his arch-enemy, the suave, amoral Belloq (Paul Freeman), who is in cahoots with the Nazis. Hitler means to use the Ark's invincible powers to lay waste opposing armies and proclaim himself the Messiah. Conceived by George Lucas, the picture is an amalgam of Lucas's follies—plot for its own sake, dissociated from character or drama; the affectless heroine, Marion (Karen Allen), who's a tougher version of Princess Leia in "Star Wars" (see below)—and effects that Spielberg the youthful magician has already dazzled us with. Kinesthetically, the film gets to you, but there's no exhilaration, no surge of feeling at the end. It seems to be edited for the maximum number of showings per day. With John Rhys-Davies as Sallah, Ronald Lacey as Toht, and Denholm Elliott. Cinematography by Douglas Slocombe; score by John Williams. Written by Lawrence Kasdan, from a story idea worked up by Lucas and Philip Kaufman. (6/15/81) (Embassy.)

Rich and Famous—Twenty years in the lives of two women writers, pals from their college days. Jacqueline Bisset is the tense "modern" artist—perpetually dissatisfied, self-conscious, hard-drinking. Candice Bergen is the gusher—as a housewife and mother, she writes a roman à clef about her Malibu Colony neighbors, and then she just keeps pouring out her fantasies and getting richer and richer. The bland Bisset is unvaryingly intense; she reads her puffed-up lines straight, and all with the same intonation. If she doesn't know that the picture is a comedy, it may be because Gerald Ayres, who wrote the script, seems to mean everything he has her say. (Her character is intended to be fearfully intelligent.) Bergen is much the livelier, but her caricature of a shallow bitch is too busy; she's a good sport rather than an actress, though she probably does as much for the role as anybody could. This remake of the 1943 film "Old Acquaintance" (which was based on John Van Druten's 1940 play) isn't camp, exactly; it's more like a homosexual fantasy. Bisset's affairs, with their masochistic overtones, are creepy, because they don't seem like what a woman would get into. And Bergen is used almost as if she were a big, goosey female impersonator. Directed by George Cukor, this movie has an unflagging pace, but it's full of scenes that don't play, and often you can't even tell what tone was hoped for. It's a tawdry self-parody. With David Selby, Hart Bochner, Steven Hill, Matt Lattanzi, Fay Kanin, and Michael Brandon, who makes an uncredited appearance as the man who has sex with Bisset in an airplane washroom. Among the guests in the party scenes are Christopher Isherwood, Don Bachardy, Roger Vadim, Paul Morrissey, Ray Bradbury, Nina Foch, and Gavin Lambert. (10/26/81) (Olympia Quad; through Oct. 7.)

Richard Pryor Live on the Sunset Strip—The master of physical comedy and lyrical obscenity in a new one-man show. To those of us who thought his 1979 film, "Richard Pryor Live in Concert," was one of the greatest performances we'd ever seen or ever will see, it may be disappointing yet emotionally stirring. The vast public outpouring of affection for him after his near-fatal accident in June, 1980, has changed him and his relation with the audience. He knows that all he has to do is stand on the stage and be adored. And he knows there's something the matter with this new situation, but he doesn't know how to deal with it. This film isn't in the class

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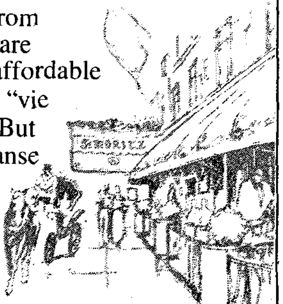

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of the first, but it has superb bits. (4/5/82) (Murray Hill, Loews Orpheum, and Loews State; starting Oct. 8.)

The Road Warrior—Set in a post-apocalyptic Wasteland, this Australian film, a sequel to the 1979 "Mad Max" and known as "Mad Max 2" in other countries, is a mutant, sprung from virtually all action genres. George Miller, who directed, may have been content to make an openly sophomoric bash in "Mad Max"—it was a revenge fantasy turned into a futuristic cartoon—but this time he's in the mythmaking business. The film is one continuous spurt of energy, and the jangly, fast editing suggests wit; so does the broad blacktop highway that cuts across the desert nothingness. And the rampaging vandals—punkish post-nuclear-war bikers, led by a masked body builder called the Humungus—are s-m comic-strip terrors; they menace the decent folk, in more barbarous and gaudier versions of the way the wild motorcyclists in Roger Corman pictures did. But the picture is abstract in an adolescent way. Miller's attempt to tap into the universal concept of the hero (as enunciated by Jung and explicated by Joseph Campbell in "The Hero with a Thousand Faces") makes the film joyless. He consciously uses his hero, Max (Mel Gibson), as an icon; that's enough to squeeze the juice out of any actor, and Max seems bland and apathetic. There are perhaps ten minutes of spectacular imagery, and if you think of George Miller as one of the kinetic moviemakers, such as John Carpenter and George A. Romero, he's a giant, but he's pushing for more, and he apparently doesn't see the limitations of the kind of material he's working with. For all its huffing and puffing, this is a sappy sentimental movie. With Bruce Spence as the stork-legged aviator and Vernon Wells as Wez; the script is by Terry Hayes and Miller, with Brian Hannant. (9/6/82) (Olympia Quad, and Criterion Theatres. . . . ¶ 72nd Street East; through Oct. 7.)

Rocky III—Whatever oddball charm and silliness the first "Rocky" had is long gone. "Rocky III" starts with the hyped climax of "II" and then just keeps going on that level. The movie really works you over. You're pummelled by the noise and the rock music and the images of bodies being whammed. The first "Rocky" was primitive in a relatively innocent way. This picture is primitive, but it's also shrewd and empty and inept. Written and directed by its star, Sylvester Stallone; with Carl Weathers, whose physique makes Rocky look like a lump, and who gives a likable, unaffected performance; an actor called Mr. T as Clubber Lang; and Burgess Meredith, Talia Shire, and Burt Young. (5/31/82) (Criterion Theatres.)

Room at the Top (1958)—It's the good, familiar story of the bright, ambitious boy from the provinces who wants to make good in the big city. Stendhal set it in the post-Napoleonic period in "The Red and the Black;" Theodore Dreiser set it in the beginnings of industrialization in "An American Tragedy." Here, the boy comes from the modern industrial slums of Yorkshire; he has acquired a cynical education in a Second World War German prison camp; and he has become a civil servant. Like Julien Sorel and Clyde Griffiths, Joe Lampton is on the make; unlike them he doesn't get killed for his sexual transgressions, though he does get beaten up in a manner that suggests a ritual punishment. Like its predecessors, the novel is about class, money, and power—and about how sex, which is used to get them, traps the user. Joe (Laurence Harvey) is an aggressive young parvenu, a slum-bred man who wants to break through the class structure and get into the Establishment. The movie helped bring American adults back into the theatres—partly, no doubt, because of the unusually intelligent treatment of Joe's drives and the unusually blunt dialogue, but mostly because of the superb love scenes between Harvey and Simone Signoret. She's magnificent as the older woman whom he loves yet sacrifices to his ambition. Her sensuality is contrasted with the virginal shallowness of Heather Sears, as the rich girl he marries. With Donald Wolfit, Hermione Baddeley, Raymond Huntley, Donald Houston, and Ambrosine Philpotts. Directed capably, and with great emotional tact, by Jack Clayton, from Neil Paterson's adaptation of the John Braine novel; cinematography by Freddie Francis. Signoret won the Academy Award for Best Actress. (A sequel, "Life at the Top," also with Harvey, was made in 1965; it was directed by Ted Kotcheff, from a script by Mordecai Richler.) (Thalia; Oct. 13.)

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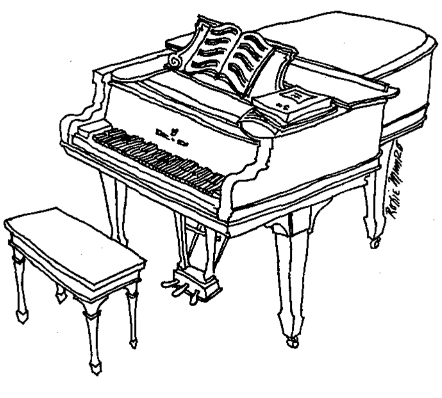
Sandra (1966)—Luchino Visconti gives his native land the turbid and murky climate of a gothic novel. In the richly upholstered gloom of a crumbling palazzo, the young heroine (Claudia Cardinale) slips uneasily from one pool of shadows to the next, pursued by her amiable, baffled American husband (Michael Craig) and by her dissolute brother (Jean Sorel). The tale demands to be sung, and in scene after scene we prepare to enjoy an aria that has been unaccountably mislaid. With Marie Bell as the mentally disturbed mother. In Italian. (Metro Cinema; Oct. 13.)

Star Wars (1977)—As of now, the biggest box-office success in movie history—probably because for young audiences it's like getting a box of Cracker Jack that is all prizes. Written and directed by George Lucas, the film is enjoyable in its own terms, but it's exhausting, too—like taking a pack of kids to the circus. There's no breather in the picture, no lyricism; the only attempt at beauty is in the image of a double sunset. The loudness, the smash-and-grab editing, and the relentless pacing drive every idea from your head, and even if you've been entertained, you may feel cheated of some dimension—a sense of wonder, perhaps. It's an epic without a dream. Maybe the only real inspiration involved was to set its sci-fi galaxy in the pop-culture past, and to turn old-movie ineptness into conscious Pop Art. And maybe there's a touch of genius in keeping the film so consistently what it is, even if this is the genius of the plodding. Lucas has got the tone of bad movies down pat: you never catch the actors deliberately acting badly; they just seem to be bad actors, on contract to Monogram or Republic, their klunky enthusiasm polished at the Ricky Nelson school of acting. In a gesture toward equality of the sexes, the high-school-cheerleader princess-in-distress (played by Carrie Fisher) talks tomboy-tough—Terry Moore with spunk. (Is is because the picture is synthesized from the mythology of serials and old comic books that it didn't occur to anybody that *she* could get the Force?) With Mark Hamill as Luke Skywalker, Harrison Ford as Han Solo, and Alec Guinness as Ben Kenobi. (Gotham Cinema; through Oct. 7.)

Tempest—Taking off from Shakespeare and the idea of a world-famous American architect of Greek ancestry who is having a mid-life crisis, Paul Mazursky tries for a free, airborne mix of comedy, musical psychodrama, and dream play. The film has a flickering wit and there are charming bits by Susan Sarandon and the talented young actress Molly Ringwald, but Mazursky doesn't find an original tone that the audience can respond to, and he has put John Cassavetes—one of the most dour and alienating of actors—at the film's center. And worse, the picture has delusions of pain-in-the-soul glamour; set mostly in Manhattan and on a Greek island, it's overblown and luxuriantly elegant. You feel you should ooh and ah the vistas (courtesy of the cinematographer, Don McAlpine). It has the polished pictorial extravagance of stupe classics, such as Albert Lewin's 1951 "Pandora and the Flying Dutchman." (It even has the swank blue skies that "Pandora" had.) And it's a sophisticated fantasy in the same mode: the images might be used to advertise a new *parfum*. This is an absurd movie, but what an artifact! It takes a high degree of civilization to produce something so hollow. With Raul Julia, Gena Rowlands, Vittorio Gassman, Lucianne Buchanan, Sam Robards, Paul Stewart, Jackie Gayle, Tony Holland, Jerry Hardin, and Paul and Betsy Mazursky. From a script by Mazursky and Leon Capetanos; with a modern score by Stomu Yamashta. (9/20/82) (Loews 34th Street Showplace, Loews New York Twin, Waverly, and Criterion Theatres. . . . ¶ Loews 83rd Quad; through Oct. 7.)



Tex—An oddly quiet, tepid, soft film about adolescent travail in Oklahoma. Making his début as a director, Tim Hunter uses setups that are drably simple, and the locations are hazy—the cinematographer (Ric Waite) might be in some personal watery-pastel fog. The movie has no strong images; everything is flattened out. Yet this adaptation of one of the S. E. Hinton novels that became favorites of high-school kids in the seventies has an amiable, unforced good humor that takes the curse off the film's look and even off its everything-but-the-bloodhounds plot. As the prankish fifteen-year-old Tex, Matt Dillon radiates a mysteriously effortless charm; Dillon has a gift for expressing submerged shifts of feeling—we may feel that we're actually seeing Tex's growth process. The earnest naïveté of this movie has its own kind of emotional fairy-tale magic. Too bad that there's nothing in the very likable "Tex" to make it linger in the mind—it's visually so fuzzy that it drifts away like a TV show. With Jim Metzler as Tex's older brother, Ben Johnson as the heavy, Meg Tilly, Pamela Ludwig, Bill McKinney, and the author, Susan Hinton, in a bit as the typing teacher. The script is by Charlie Haas and the director. (10/4/82) (Cinema I.)

A Voyage to Italy (1953)—Roberto Rossellini made this study of a marriage in trouble, starring Ingrid Bergman and George Sanders; in the film's finest scene the couple visit Pompeii and see two petrified embracing bodies that have just been uncovered. An influential film (there are echoes of it in both Godard's "Contempt" and Bergman's "The Touch"), which is deeply marred by banality and clumsiness. Screenplay by Rossellini and Vitaliano Brancati; cinematography by Enzo Serafin. In Italian. (Regency; Oct. 12-13.)

The Wild Child (1970)—A late-eighteenth-century doctor (played by François Truffaut) takes over the education of a barbarian boy who has spent his childhood abandoned in a forest. The understanding between the two of them is wary and delicate; all the same, they are some sort of kin, and both of them are in the direct line of Truffaut's alert, thin-skinned, outwardly intransigent heroes. Truffaut directed the film in a beautiful black-and-white that has the look of an old photograph. In French. (Carnegie Hall Cinema; Oct. 12.)

The World According to Garp—The movie version of John Irving's novel, directed by George Roy Hill, from a script by Steve Tesich, has no center; it's a simple series of vignettes, spanning Garp's life from his beginning to his end. Tongues, ears, penises, eyes, lives—everybody on the screen is losing something. If you listen to what Garp (Robin Williams) says, the movie is about love of family; if you look at what happens, though, it's a castration fantasy. With John Lithgow, who gives an appealing performance as the big-bruiser transsexual Roberta Muldoon, Glenn Close as Garp's mother, Mary Beth Hurt as his wife, and, in a bit, Amanda Plummer as Ellen James. (8/23/82) (Beekman; through Oct. 14. . . . ¶ Olympia Quad; starting Oct. 8. . . . ¶ St. Marks Cinema, and Hollywood Twin Cinema 2; Oct. 8-14.)

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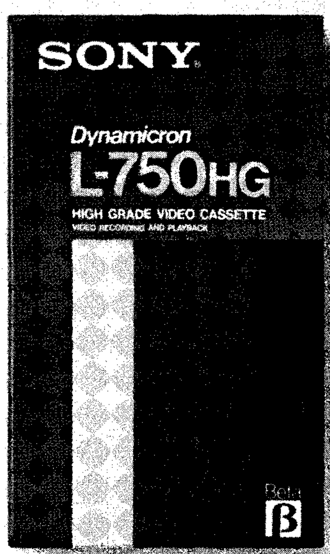

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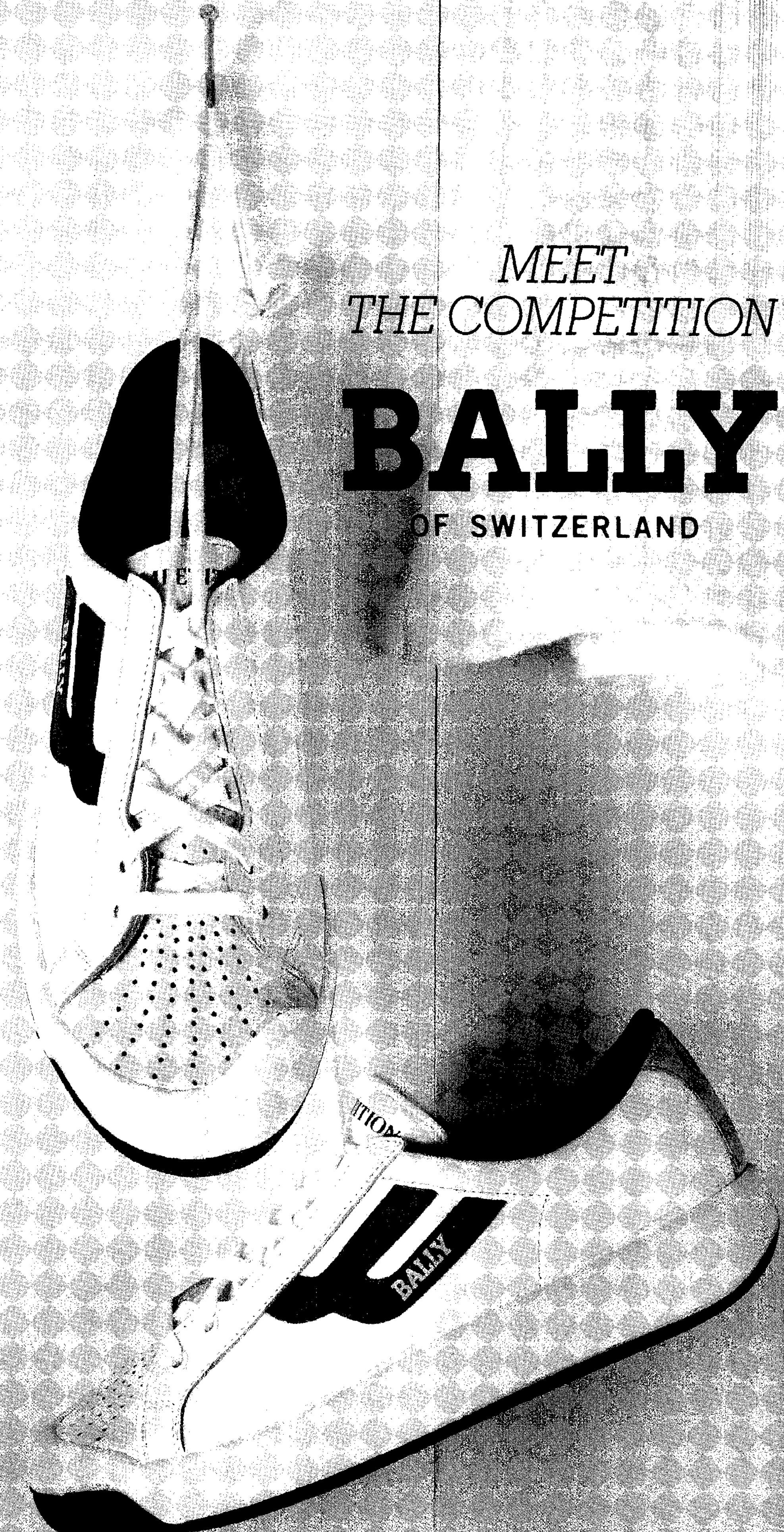

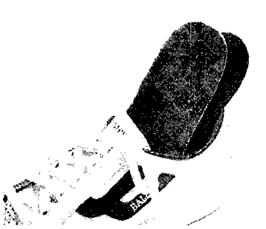

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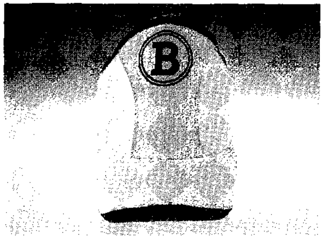

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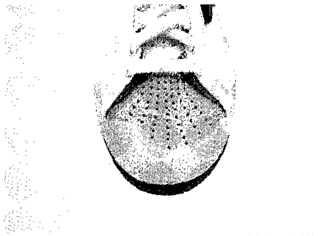

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THE NEW YORKER

THE TALK OF THE TOWN

Notes and Comment

ALL you have to do is turn your television set on, and you soon realize that the distinction between truth and fiction—or, more bluntly, between show biz and world events (and those who create them)—is becoming ever harder to recognize.

Channel 5 showed the old movie "Brother Rat" the other Saturday night. Although Ronald Reagan and Jane Wyman were advertised as starring in it, they turned out to be playing supporting roles. Through these long-ago films, the actor has become familiar; the slightly self-deprecating charm, the attenuated, somewhat veiled voice, the studied earnestness, the undissembling manner offer, from picture to picture, the same subtle monotony. At this point, the road from Hollywood to Washington appears not only fraught with obstacles but devoid of the slightest plausibility or logic. Yet all you have to do is switch from Channel 5 to Channel 2, and the President, visibly disturbed, is chiding Israel on a truly tragic issue. The slightly self-deprecating charm is not called on, because the utterance is too grave; the face, of course, is vastly changed. And yet you are greeted with the same undissembling manner, the same attenuated voice, the same studied earnestness.

A few weeks ago, we turned on the set and chanced on Alexander Haig (looking buoyed up by resignation) about to make a speech. He opened it with "Of course, you all want to know who's in charge here," and accepted the laughter of the audience like a trouper. Had he engaged a show-biz gag writer, or had some speech writer felt it necessary to write like one? It does not matter. In such a case, the distinction will remain forever blurred.

In one week, both ABC and CBS broadcast romantic dramatizations of the Prince Charles–Lady Diana courtship and marriage. We missed the first but stumbled on the second. The choice of subject was inept, and in ineptness the writing competed with it successfully. Cliché followed cliché. The actor who played Charles was appalling. Ordinarily, the only reason to watch this sort of exercise is to satisfy the concierge that lurks in so many of us. But that night there was another reason. The young actress who instead of merely acting the role of Lady Diana almost impersonated her proved to be unexpectedly enchanting. She had Lady Diana's pervasive charm and several of her mannerisms (among them lowering the head while looking up with wide, rapt eyes). The long legs, the giggles, the blatant youth, the innocence, the restraint, the propriety were all there. This was perfection in casting; and the exactitude carried over only too well into the latter part of the film, when actual footage of the procession and the wedding ceremony was used, for it succeeded in blurring once more the distinction between truth and fiction. It was fitting to learn that Catherine Oxenberg, who gave this winning performance of the Princess of Wales, is the real-life daughter of Princess Elizabeth of Yugoslavia.

Following the tragic death of Princess Grace of Monaco, her funeral as it was presented on the television screen posed the question even more pointedly, because the movie star who went to Monaco had been steadily manipulated by an attentive international press. It has been said that the next-to-last film she starred in, an adaptation of Ferenc Molnár's "The Swan," in which she marries a prince, was a flop because she married her real-life prince during its run, and people did not feel the need to go to the movies to see the fictitious event when it was possible for them to sit home and watch the real one. (Her marriage was attended by six hundred guests *and* fifteen hundred representatives of the press.) Eight hundred people went to her funeral, and here one image became true and haunting: the shattered figure of Prince Rainier, with the heavy chin resting on the dead-white shirtfront, the black of the frock coat, the dead-white of the hair, and the black, once more, of the hands in short gloves. *That* was only too real. And then, a moment later, the cameras focussed on Cary Grant, also grieving, also heavy-faced and old, his hair also dead-white. Following the confusion that surrounded her accident and her death, Grace Kelly Grimaldi remains a puzzling media image. From the little we know of her, she was a woman passionately engaged in family happiness; and yet she was, as on the silver and TV screens, a movie star. There was something realized and projected about the gilded hair, the serenity, the very dignity. Had she been allowed to grow older, it might have become easier to separate the screen queen from the real princess, but, alas, she was not, and so here, once again, the distinction between truth and fiction remains blurred forever.

A SUBURBAN friend of ours, who describes himself as "moderately football-dependent," has been closely monitoring his condition during the current National Football League players' strike. These are some notes he took on the first Sunday that play was suspended:

Rise late, lingering under covers as long as possible—ignore church bells outside, cheerful sounds of family downstairs. Sorry, not ready to meet the public yet. Pulse, respiration, temperature normal. Slight feeling of dread but still within acceptable Sunday-morning limits. Light breakfast: oatmeal, orange juice, no coffee. (Caffeine probably unwise under present conditions.) Read *Times* slowly and carefully, including gardening Q & A (learn not possible to grow water chestnuts in N.J.; also, cloudberry not same thing as raspberry) and help-wanted ads in "Careers" section (Merck Sharp & Dohme looking for "information scientist"—must have "on-line searching experience"). Vital signs still O.K., except for prickling sensation in scalp, slight shrillness of voice. Fix Bloody Mary, extra Tabasco. At kickoff time (hypothetical), feel quickening of heartbeat, shortness of breath. Walk into den and am deeply moved by sight of empty chair, dark TV screen. Attempt nap. Fail. (Attempt not furthered by sounds of electric hair dryer, Dustbuster, and piano being worked simultaneously. Family not sympathetic.) Shout at children, complain of wife's poor disciplinary practice. At latter's suggestion, go outside for whiff of fresh air. Take bike ride around neighborhood and see men I have never seen on Sunday before—washing cars, mowing lawns, painting porches, sealing driveways, building patios, etc. (Good idea to open hardware store during strike!) Watch man and boy tossing football back and forth in empty lot—slow, looping spirals. Return home, fix lunch—grilled cheese, Miller Lite (the beer, incidentally, of former N.F.L. greats Bubba Smith, Ben Davidson, et al.). Straighten magazines in living room, stack record albums so edges square. Pick up cat, stroke. Look out window, watch wife working in garden—planting bulbs. Leaves on maple just beginning to turn. Feeling of depression but also sense of great clarity, alertness. See things in perspective. Picture snow falling, tulips coming up in spring. Children marrying, leaving home. Cat growing fat, Dustbuster wearing out. Imagine sequence of Sundays forming tunnel in calendar—see through it all the way to time of Pro Bowl and beyond. Whiteness. Silence. Feel something like peace. Sigh, but no tears.

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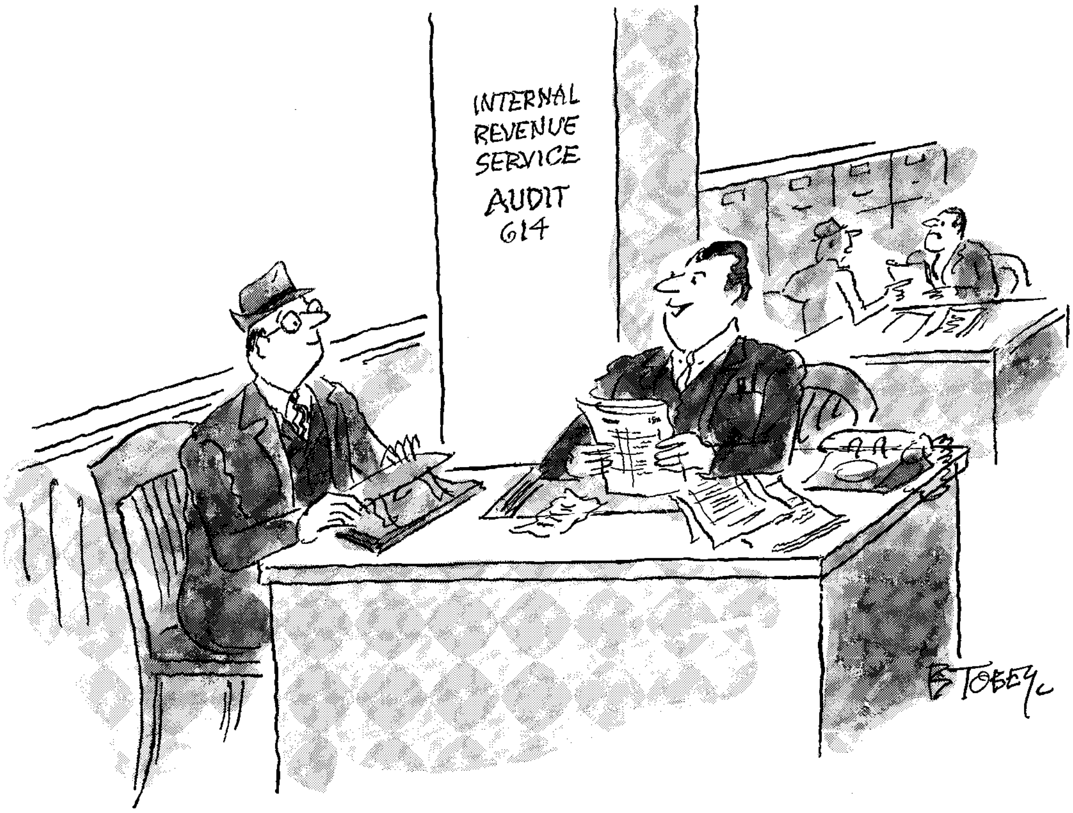
Champion

ON to a gentler sport. When Archie Burchfield gets back to his tobacco and beef-cattle farm in Stamping Ground, Kentucky, probably one of the first things he'll do is arrange to have a croquet lawn put in. With his son Mark, Mr. Burchfield recently won the national doubles title on the croquet courts in Central Park, but although he has played the game for twenty-two years, not until last March had he played it on grass. "I'm used to playing on dirt," he says. "In Kentucky, we don't have anything else. Our surface is like the base paths of a ball field. We roll it down and then put a skift of sand on it. It's as smooth as a pool table and very fast, and if we press it *way* down—get a three-hundred-pound roller and run it back and forth a few times—we can make it like glass."

Mr. Burchfield's figure is incongruous on the court. He is a large, slope-shouldered man with stern features, and he outbulks most opponents. His manner and presence are commanding. During the tournament, he wore white clothes, as is the rule in croquet, and, frequently, a white hat with the words "Bon Vivant Country Club" on the brow. The Bon Vivant Country Club is in Bourbonnais, Illinois, six hours by car from Stamping Ground, and it has the grass courts that are closest to Mr. Burchfield's farm. It is owned by a man named Merlin Karlock, who was also a competitor, and who gave Mr. Burchfield the hat. Off the court, Mr. Burchfield occasionally wore a navy-blue windbreaker with "Kentucky Croquet State Champs" written across the back in white. Below were the word "Singles," followed by a list of years—1970, 1971, 1972, and 1976—and the word "Doubles," followed by the years 1973 and 1976. (The jacket was not up-to-date. Mr. Burchfield also has singles titles for the years 1979, 1980, and 1982.) During an interval between matches, Mr. Burchfield claimed a courtside bench and told us these things:

"I have two courts on the farm, about two hundred feet from the house, and I have lights on them, so I can play at night if I want to. You need two courts in order to hold the state championships. They're held at a different place each year. I've had them at my courts, but this year they were in Jamestown. Next year, they'll probably be back at my place. The first time I played, in 1961, I saw these lights over a field on the other side of town, and I told my wife 'I'm going over to see what it is. It's either a ballgame or something.' Well, it was some older men playing croquet, and they asked me to play, and they beat me pretty bad and then laughed about it. I got hold of a mallet, and for two weeks I went up there and practiced when no one else was around, and then I went back to play, pretending I hadn't played since the first time. After that, I played the whole year. I'd finish work on the farm in the afternoon and play until bedtime, and I won the district in 1962. Sometimes, nowadays, if it's raining and I can't do my work on the farm, I'll call Bobby Wilhoite, who is my regular partner, or Albert Pieratt, or Dean Barber, or Randy Wise, or Ricky Wilhoite (it's no kin; they just spell their names alike), and drive the hour and a half to Louisville, where they have some courts with a roof on them.

"I make my own mallets, on a lathe. You *can* buy them, of course, but they're very expensive and I don't believe they're worth it. This mallet here is about a fifty-year-old piece of walnut, with a sugar-tree handle that I had out in the barn, where we cure tobacco, so it's good and dry and hard and it will never break. On each end of the mallet head is a piece of Bakelite. It's solid, and it won't wear out or scar up, either. Here's the mallet for our game at home. You see how short the handle is—only about eighteen inches. You want a longer handle on grass, for leverage; you get more velocity. The size of the handle is only one of the ways our game is different. There are some rules on grass that we don't have, and I'm trying to get used to them. We can't play in the rain, because the field gets muddy, and you can on grass. We don't require that you wear white. Of course, the speed—our game is so much faster. We don't hit the ball so hard—sometimes you just *touch* it and it flies. And we don't have time limits. In this tournament, the games are an hour and fifteen minutes. If you haven't finished the course in that time, then the person or team who's passed through more wickets is the winner. In Kentucky, I once started a five-game tournament at three in the afternoon, after I got done work on the farm, and I was still playing at three the next morning.



"I can tell you this, Mr. Brandt—your penmanship is a pleasure to read!"

• •

"I'm just started in national competition. The way it happened is somebody sent me a clipping a couple of years ago from a Chicago paper about the United States Croquet Association, which I had never heard of, and so I called Mr. Jack Osborn, who is the head of it, in New York City and said, 'You get your two best players and come down here to Kentucky,' and he said, 'Well, we play a pretty tough game up here,' and I said, 'We play pretty tough, too,' and he said, 'Well, we use a lot of strategy,' and I said, 'Well, we use a lot of strategy, too,' but he bluffed me out and he wouldn't come. He knew what we were playing on, I guess. Then, last March, my brother-in-law wanted to go to Florida, and I said, 'Well, I'll go to Palm Beach and play croquet,' because I knew from Mr. Osborn that that was where they did it. I went to the Palm Beach Polo and Country Club with a partner, and I had my little short-handled Kentucky mallets and my new blue khaki britches and a new shirt, and they looked at me like I was a gardener. I went up to the gate of the club and said, 'I came to play croquet,' and the guard said, 'You're not coming in here.' We went back later that day, and this time we got in, and we had our blue clothes and our little mallets, and they didn't want to talk to us. I found this woman, and I said, 'Ma'am, could you tell us where the clubhouse is?' She said, 'They won't let you in, and even if you do get in they'll throw you out.' I said, 'What for?' She said, 'Your clothes.' And I said, 'What's *wrong* with my clothes? They're the best ones I got, and not only that—they're the *only* ones I got.' That's when I found out about the white clothes.

"Well, we played some matches and did all right. We won some and we lost a few more, and I guess getting beat made me mad, because I went home and told my wife I was now going out to play croquet. I went back to Palm Beach a couple of weeks later for the National Club Team Championships and to Illinois for the Central Regional. I also went to North Carolina for the Southern Regional, where I was runner-up to Archie Peck, who's been the national champion three times.

"Croquet is a funny game, because if you miss a wicket then you could be out; just like in pool, a player could have a run against you. I like to play for the other man to make a mistake, because I just don't believe that, with the nerves and everything, a man's going to go perfectly around the course—if he can, he's too good for me anyway. When he makes his mistake, though, I mean to be right there and take advantage. Ninety per cent of the game is played from the neck up."

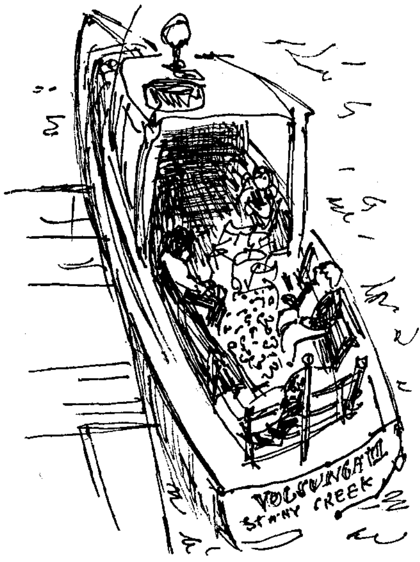
The Thimbles

PERFECT morning for sightseeing: sunny, warm, no clouds. Driving into Stony Creek, small village on Connecticut shore east of New Haven, whose bay is packed with nearly forty small islands called the Thimbles—the sight we wish to see—we park at quayside, where a light breeze is coming off Long Island Sound. At least twenty islands, many with houses and docks, now in view. Forty-foot motorboat—

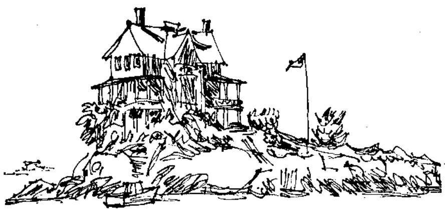
Volsunga III—tied up at principal pier; "Ferry and Sightseeing," says small blue sign on its deckhouse. Just what we are looking for. A few minutes before 9 A.M., captain of Volsunga arrives: elegant-looking bearded man in white cap and tan uniform. Resembles George V or Nicholas II, or skinny Monty Woolley. Ask him about tour of Thimbles. No tour until a bit later in morning, he says, but says we are welcome to come along as he ferries passengers out to various islands, drops them off, picks up others. "My name is Captain Dwight (as in Eisenhower) Carter (as in Little Liver Pills)," says captain. "The islands are granite outcroppings and glacial deposits, and there are about ninety-six houses on them. I don't believe there's any area comparable to this on the coast of the United States, except for some parts of Maine—and then there are the Thousand Islands, in the St. Lawrence. I serve twenty-four of the islands. The residents live on them in the warm weather only. Some of the people are rich and some are poor, and a lot are multi-generation. What they have in common is they seek the serenity of island living, and are willing to put up with the inconvenience to get it. I live on that island." He points to nearest island, a hundred yards away, which is almost entirely occupied by one large, contemporary house. "It's called Jepson Island, named after my mother's family. My family has lived here for seven generations. There's been at least one sea captain in every generation for the last three hundred years. Two of my grandparents drowned out here in the 1938 hurricane."

We ask Carter how he came to be captain of the Volsunga. "I was the town drunk," he replies. "I had been a bank executive in a big city, and I had gone from riches to rags. I came back to the islands to drink myself to death. But I found a new wife here, and a new life, and I sobered up on June 6, 1972. I bought the Volsunga in July, 1973. We operate regardless of the weather—we've cancelled only one trip since then—so it's often an exciting job, even a dangerous one. Many days, it's so foggy I can't see the bow of the boat. I don't get bored. My passenger load is always changing, and the islands have a never-changing beauty."

Captain says it's time to go aboard. We descend gangplank. Three middle-aged women seated on blue benches near stern, with six bags of groceries, a cardboard box, twelve pots of red geraniums (*Illus. A*). Four construction workers wearing shorts come aboard, one of them carrying a roll of roofing material. Captain takes helm. Turns to woman, bows, and inquires, "And when will you be returning, Madam?" "At 4 P.M.," she says. He turns to next. "And you, Madam, will you be returning, or do you plan to spend the winter?" She replies, "Oh, I think I'll spend the winter if the weather's nice." Everybody laughs. Volsunga heads out, engine gurgling, flag snapping from pole on stern. Moves briskly, foamy wake spilling aft, fanning out, decorating the green water. Ahead is rocky island with single splendid house perched on it: several porches, plus lawn, shrubs, trees, and flagpole (*Illus. B*). Island to west seems entirely forest, but then a bit of red tile roof and some fancy chimney tops suggest major mansion may be hidden there. Captain confirms: twenty-seven-room Tudor job in woods. It is low tide; the bases of the islands are dark brown below the high-tide line—they're flecked with seaweed—and light orange above it. At a one-house island, a man is struggling to get his boat off a rock next to his dock. Captain calls, over loudspeaker, "Do you want me to give you a sudden big wave? It may help your boat pop down." Man, who is pulling on line attached to bow, nods. Captain guns Volsunga, veers in, then out, leaving tremendous wave, which rolls in, lifts boat off rock, and nearly yanks man off his dock. Man recovers, waves gratefully. On to another island, this one with nine houses, of various sizes, colors, and architectural periods, shoulder to shoulder; more houses on reverse slope. Lots of trees and bushes. Volsunga nestles up to dock. Construction workers go ashore with roll of roofing. One woman gets off, and a younger woman in a white skirt steps aboard. "Come along, my dear," says captain, taking her elbow.

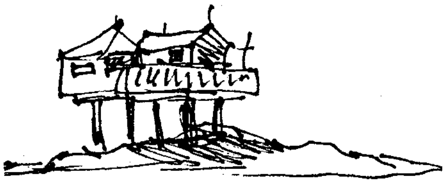


Illus. A



Illus. B

Out to sea again. Men are laying electrical cable from dredgelike craft. "That's got to be the most tiresome work in the world," says captain, "standing there and watching the bubbles come up." Two women off-loaded at floating dock at base of high rock on summit of which sits dramatic modern house—flat roof, lots of glass. The women carry the groceries and geraniums up gangplank. Next island has sixteen or more houses, close together. Looks like harbor in Maine. Man painting his rowboat, with transistor radio nearby on rock. Volsunga passes between enormous, heavily wooded islands. Feeling of wilderness. Then a few ghostly unpainted cabins appear. Volsunga moves ahead; cabins vanish. Several miles to west is hazy shoreline now—East Haven, probably. Open water. Boat turns, circles north, and heads back toward Stony Creek. Outer islands here are mere chips of rock—no foliage, no houses. One barren island, however, has gray house mounted atop concrete columns that might be twelve feet high (*Illus. C*). Startling; audacious; lonely splendor—and no basement problems. Volsunga moves



Illus. C

into port, through moored sailboats, swooping gulls.

Four women are waiting on dock. "I'm going to see Mrs. Upham," one says to captain.

"*I* know," says Captain Carter.

Heavens!

THE minute we heard about Debbi Kempton-Smith, we dashed for the phone.

"Is it true you've done a horoscope of the Empire State Building?" we asked her.

"Yes, indeed," she replied.

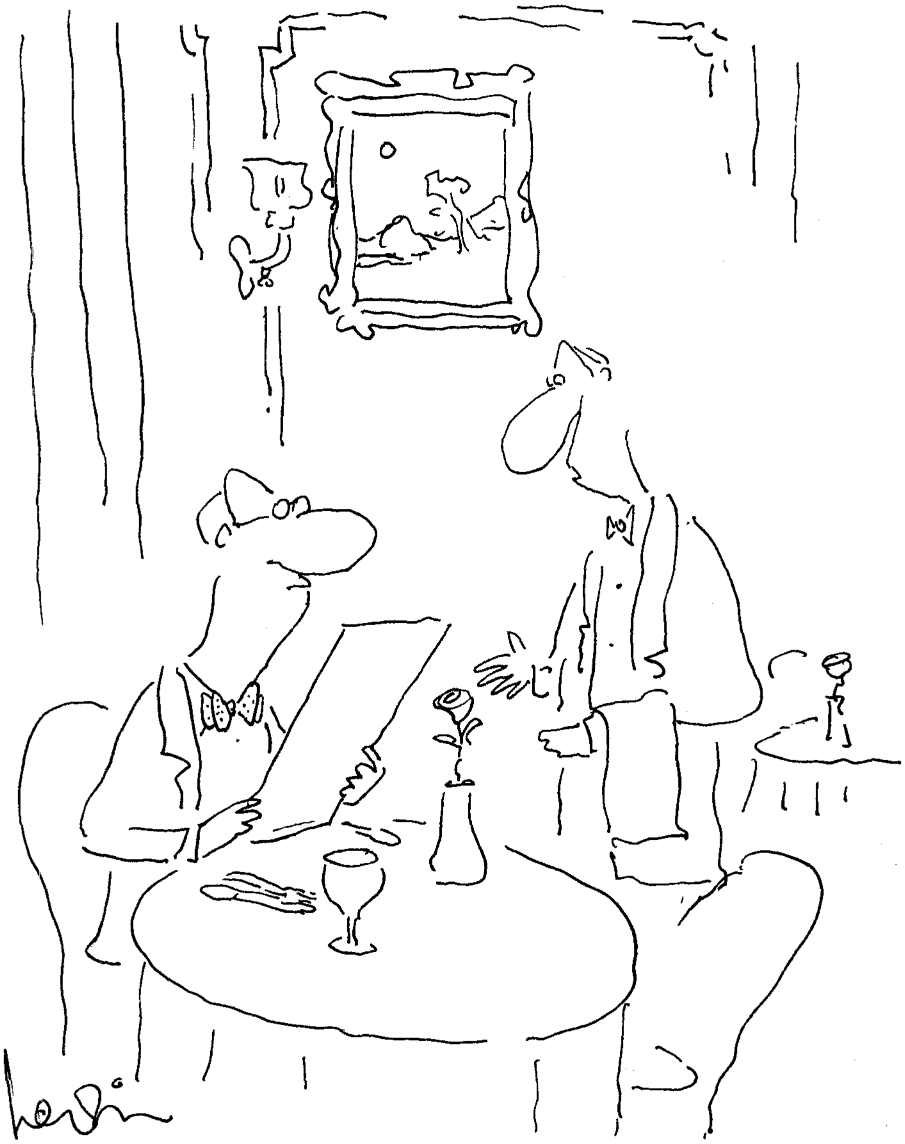
"When can we get together to talk about it?" we asked.

"Not today, that's for sure," she said. "It'll have to wait until next week. See, the moon is void-of-course right now, and anything we do today will come to nothing."

Just as soon as the moon had moved enough to make it worthwhile, we joined Miss Kempton-Smith on the observation deck of the Empire State Building, and there she showed us the skyscraper's very complicated astrological chart, which is contained in a paperback she has recently written, "Secrets from a Stargazer's Notebook." "I used 11:15 A.M. on May 1, 1931, which was the day and hour that Al Smith cut the ribbon officially opening the building, as its birth date," she said. "It's a lot like cutting the umbilical cord."

On the basis of the chart, which was worked out by a computer, Miss Kempton-Smith declared, among other things, that because the Empire State Building's moon is in Scorpio "it's a jealous building." She went on to say, "When the World Trade Center went up, there were all sorts of planets attacking the Empire State's horoscope. It got its feelings hurt. If it were a person, it would have experienced a deep anxiety." Then she told us, "The planet of love is Venus, and in the building's horoscope Venus receives very good aspects from Jupiter. And Jupiter is the planet of expansion. When expansion and love combine, you have something wildly popular. If it were a woman, the Empire State Building would always have dates. It would never be alone on a Saturday night. Actually, if it were a woman she'd like to entertain at home. You can see by the chart it needs to be near its roots. It feels very insecure about being moved." Miss Kempton-Smith kept a straight face. "Now, in its eighth box, which governs its sex life, the Empire State Building has Aquarius. The planet that rules Aquarius is Uranus. It's the lonely planet, the free being. It's like Gary Cooper in 'High Noon.' And, as you can see"—she pointed to the uncluttered skyscape around the observation deck—"the Empire State Building does stand out all by itself." She added, "Uranus is the planet of sharp objects, and it's also the planet that rules television. And it is right at the top of the building's chart."

The Empire State Building, chart and all, occupies only four of four hundred and ninety pages in Miss Kempton-Smith's book. Much of the rest of the book discusses topics such as what to buy a Cancer for his birthday, what people with Gemini in their sixth house might like for supper, and why Colonel Sanders, Evel Knievel, Brooke Shields, Baba Ram Dass, Olivia Newton-John, Hamilton Jordan, Nelson Rockefeller, Freddie Laker, and all the members of The Who have behaved as they have. An arch tone dominates the book (the planet Jupiter is referred to as "the merciful fatso"), but Miss Kempton-Smith maintains that her work is very serious. She spoke of high unemployment rates, and said she hoped that the charts would help people figure out when the time was right to seek work. "Don't blame Reagan for unemployment," she said. "Blame Chi-



"These are only suggestions. The final decision, of course, will be yours."

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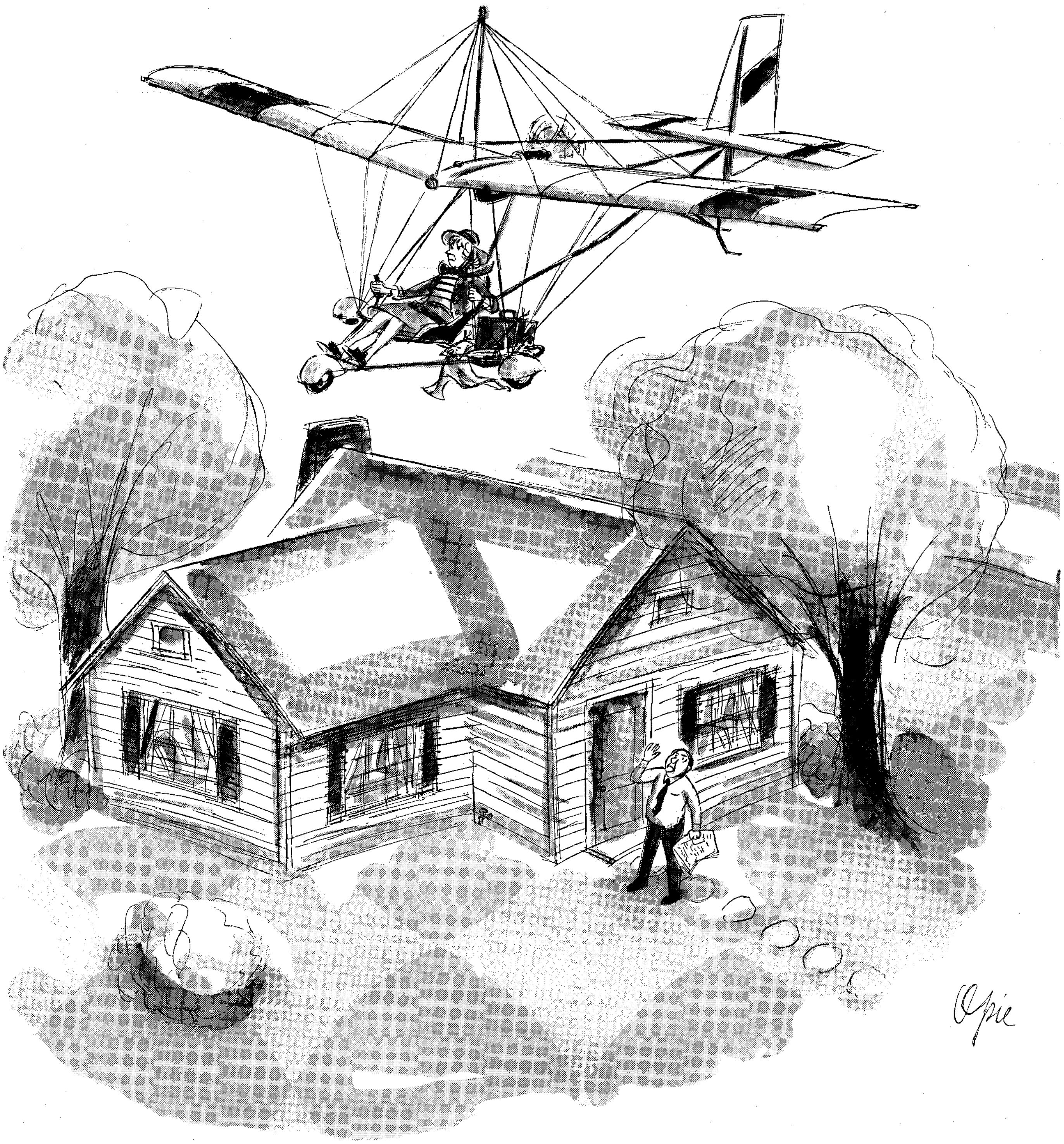

"Please, Doris, let's talk!"

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ron." Chiron is a newly discovered asteroid. Some astrologers, including Miss Kempton-Smith, call it "the tenth planet"—a claim pooh-poohed by most astronomers. "It's nowhere near the asteroid belt," Miss Kempton-Smith explained. "It commutes between Saturn, the planet of conservatism and pin-striped suits, and Uranus, the planet of eccentricity. It goes from Wall Street to Woodstock. Anyhow, its orbit is about forty-nine years, which corresponds almost exactly with the Kondratiev cycle. Kondratiev was a Russian economist, and he noticed that there was a depression about every forty-nine years. The last depression took place when Chiron was in Taurus, the sign of money. *And it's back there now!* We're going to have a couple of rocky years, I'm afraid."

Miss Kempton-Smith, after remarking that she had previously written a book on corrupt gurus, which was never published, perhaps because some of the gurus cursed it, told us that she sells most of her star-gazing services to financial analysts and psychiatrists, and that many of both these sets of customers are reluctant to admit that they visit an astrologer. "People get astrology mixed up with palmistry, or with being psychic," she said. "I go to a party, and people hear I'm an astrologer, and they come over and hold out their hands and ask me to read them. It's very annoying. Astrology is really a soft science, just like psychology."

JUST A COUNTRY BOY

If you think that when you look at me you're looking at rock, rhythm and blues, jazz, classical, or pop, then you are wrong, because I am country from my head down to my boots. If you're looking at me, then by definition you are looking at country. When I was in my early teens, the great Hank Williams told me, "Son, you ain't country unless you've looked at a lot of miles over the back end of a mule." Unfortunately, because of conflicts in my schedule at the time, I did not have a chance to look at as many miles over the back end of a mule as I would have liked to. Hank, however, made some excellent videotapes of miles with the back end of a mule in the foreground, and I spent countless hours screening those tapes.

Excuse me. That's my phone.

Sorry. That was the lonesome highway calling me. It calls me just about every day at this time. Just about every day, I get calls from the lonesome highway, the gentle Southern summer breezes, my Smoky Mountain memories, and that lonesome freight-train whistle's whine. If I'm not in, they leave messages. I don't mind all these calls, because they remind me that I'm just a country boy and that's all I'll ever be. (Although sometimes that lonesome freight-train whistle's whine can be a little irritating. I pick up the phone and all I hear is this whine.)

I like it when the lonesome highway calls, because for a long time it has been my only friend. I don't know exactly why I always keep moving on down the road. One reason might be that I've got a different girl in every town you can name. There's a Cajun Queen down in Baton Rouge who usually tries to avoid me. And in North Dallas there's a rich man's daughter who says she doesn't like me that much. In old San Antone there's a dark-eyed señorita who didn't have a very good time with me, while up in Memphis there are several Tennessee belles whose feelings toward me are lukewarm at best. I tell them all the same thing: "I am not the kind of man to hang around with any one woman for too long, because I am always chasing rainbows. So please bear that in mind." That is not an easy thing to tell someone (particularly if you have to yell it through her locked door), but I know myself well enough to say that it is nothing more or less than the simple truth.

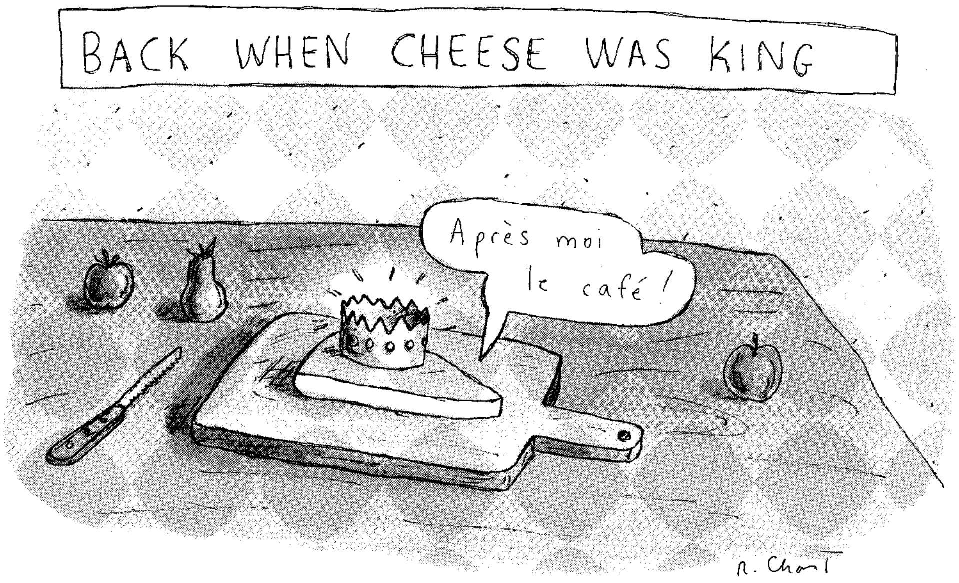
I am country today, and I was country this time last year—I have photographs to prove it. I was country back before Hollywood brought Texas to New York and imitation drugstore cowboys turned up all over the Sunset Strip. I was country in '80, '79, '78, '77, '76—it doesn't matter how far back you want to go. I was country when country wasn't cool. In fact, I was country back when it was forbidden by law in most states and the federal government turned a blind eye to this blatant violation of the rights of its people. I was country back when if you were intelligent enough to buy beer and you tried to be country you could be fined, or even imprisoned. Now it is hard to believe that such times ever existed.

My daddy was just a simple backwoods art director (B.F.A., Rhode Island School of Design) out of Cochetah, Oklahoma. He raised me right. He insisted that I spend at least three hours out of every day honky-tonking, and he was very strict. I had to bring him bar tabs from as many places as I could to prove I had really barhopped. He also made me practice cheating and slipping around behind my wife's back. Of course, I was much too young to be married, so we pretended I was married to Yeller, my dog. Then I would go over to our neighbors' yard and sweet-talk their dog, Blue. "What part of Heaven did you fall from, angel?" I'd say. "No, no, no!" Daddy would holler. "Say it like you mean it! Put some ol' country sorghum in your voice!" And he'd make me try it again and again, until I finally had Yeller howling with jealousy. At the time, I have to admit, I hated my daddy for being so hard on me, but now I understand what he was doing, and I thank him for it.

Many of the experiences of my life were like that; I did not understand at the time that they were molding me into pure country, which is what I am today. Like when I went to tennis camp with Bob Wills and several of the Texas Playboys. Or the time I made a snow sculpture with Ernest Tubb. Or the time I went on a two-month tour of the canals of Europe with Jimmie Rodgers, the Singing Brakeman. Each of these experiences taught me a little bit more about what country really means.

So when people who don't have the benefit of similar experiences ask me "What is country?" I don't know what to tell them. Country is so many things. It's knowing how to find the country station on your radio dial. It's watching the TV pages to see when the next country-music awards show is on. It's knowing the location of the aisle labelled "Country" at your record store. . . . It's all these things, and yet, somehow, it's more. It's ineffable, really. And when my friends, all of them country "kickers" like myself, and I watch people who just plain *ain't* country trying to pretend they are—when we watch them fumble with their radios searching for a country station—well, then we just smile. Because if you're not country, then there's nothing you can do about it. Because real, down-home country is something that comes from the heart. Because there is no way if you aren't country that you can ever possibly become country—certainly not without working at it for, at the very least, seven to ten years.

—Ian Frazier


BACK WHEN CHEESE WAS KING
Après moi le café!
R. Chast

WHAT THE LIGHT WAS LIKE

Every year in June—up here, that's the month for lilacs—
almost his whole front yard,
with lobster traps stacked out in back atop the rise
that overlooks the inlet,
would be a Himalayan range of peaks of bloom,
white and mauve-violet,

gusting a turbulence of perfume, and every year the same
iridescent hummingbird,
or its descendant, would be at work among the mourning
cloaks and swallowtails, its motor loud,
its burning gorget darkening at moments as though charred.
He kept an eye out

for it, we learned one night, as for everything that flapped
or hopped or hovered
crepuscular under the firs; he'd heard the legendary
trilling of the woodcock,
and watched the eiders, once rare along these coasts,
making their comeback,

so that now they're everywhere, in tribes, in families
of aunts and cousins,
a knit-and-purl of irresistibly downy young behind them,
riding every cove and inlet;
and yes, in answer to the question summer people always ask,
he'd seen the puffins

that breed out on 'Tit Manan in summer, improbably
clown-faced behind the striped scarlet
of commedia dell'arte masks we'll never see except in
Roger Tory Peterson's
field guide, or childish wishful thinking. There was much
else I meant to ask about

another summer. But in June, when we came limping up here
again, looking forward
to easing up from a mean, hard, unaccommodating winter,
we heard how he'd gone out
at dawn one morning in October, unmoored the dinghy,
and rowed to his boat,

as usual (the harbor already chugging with half a dozen
neighbors' revved-up craft,
wet decks stacked abaft with traps, the bait and kegs stowed
forward, a lifting weft
of fog spooled off in pearl-pink fleeces overhead with the first
daylight), and steered,

as usual, past first the inner and then the outer bar, where in
whatever kind of weather
the red reef-bell yells, in its interminable treble, *Trouble*,
out past where the Groaner
lolls, its tempo and forte changing with the chop, played on
by every wind shift,

straight into the sunrise, a surge of burning turning the
whole ocean iridescent
fool's gold over molten emerald, into the core of that
quotidian astonishment—
a clue, one must suppose, to why lobstermen are often
naturally gracious:

maybe, out there beside the wheel, the Baptist spire
shrunk to a compass
point, the town an interrupted circlet, feeble as an
apron string, for all the labor
it took to put it there, it's finding, out in that ungirdled
wallowing and glitter,

finally, that what you love most is the same as what
you're most afraid of—God,
in a word; whereas it seems they think they've got it
licked (or used to) back there
in the Restricted Area, for instance, where that huge
hush-hush thing they say is radar

sits sprawling on the heath like Stonehenge, belittling
every other man-made thing
in view, even the gargantuan pods of the new boat
hulls you now and then see lying
stark naked, crimson on the inside as a just-skinned
carcass, in Young's boatyard,

even the gray Grange Hall, wood-heated by a yardarm
of stovepipe across the ceiling.
Out there, from that wallowing perspective, all
comparisons amount to nothing,
though once you've hauled your last trap, things tend
to wander into shorter focus

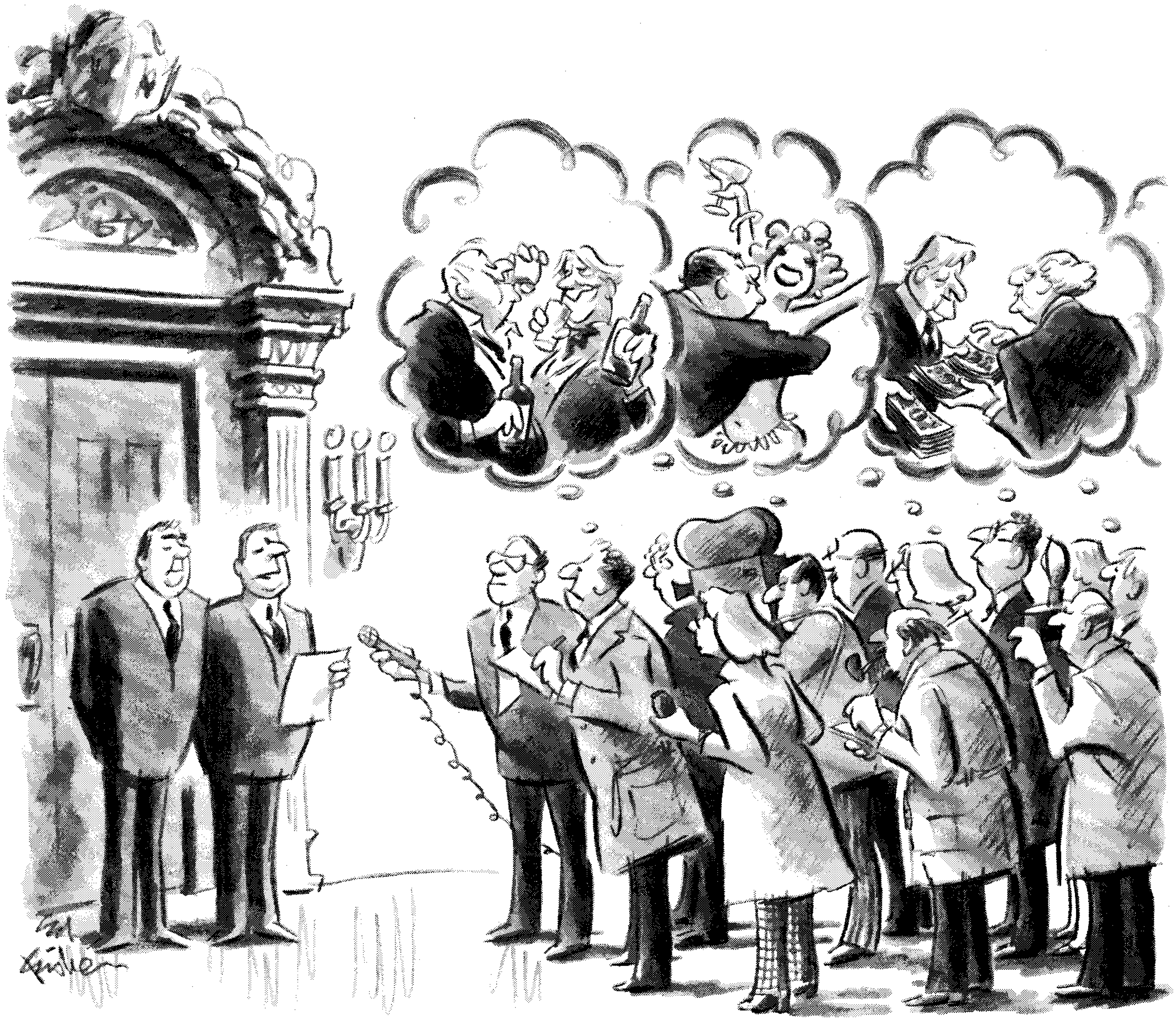
as, around noon, you head back in: first 'Tit Manan
lighthouse, a ghostly gimlet
on its ledge by day, but on clear nights expanding to a
shout, to starboard,
the sunstruck rock pile of Cranberry Point to port;
then you see the hamlet

rainbowed, above the blurring of the spray shield,
by the hurrying herring gulls'
insatiable fandango of excitement—the spire first, then
the crimson boat hulls,
the struts of the ill-natured gadget on the heath behind
them as the face of things expands,

the hide-and-seek behind the velvet-shouldered, sparse
tree-spined profiles,
as first the outer, then the inner bar appears, then
the scree-beach under Crowley Island's
crowding firs and spruces, and you detect among
the chimneys and the TV aerials

yours. But by midafternoon of that October day,
when all his neighbors'
boats had chugged back through the inlet, his
was still out; at evening,
with half the town out looking, and a hard frost
settling in among the alders,

there'd been no sign of him. The next day, and
the next, the search went on,
and widened, joined by planes and helicopters from as
far away as Boston.
When, on the third day, his craft was sighted
finally, it had drifted,



"To facilitate the negotiations, all participants have agreed to refrain absolutely from any further disclosure of what may be taking place on the other side of the conference-room door."

* * *

with its engine running, till the last gulp of fuel
spluttered and ran out,
beyond the town's own speckled noose of buoys, past
the furred crest of Schoodic,
vivid in a skirt of aspens, the boglands cranberry-
crimson at its foot,

past the bald brow the sunrise always strikes first, of
the hulk of Cadillac,
riding the current effortlessly as eiders tied to water
by the summer molt,
for fifty miles southwestward to where, off Matinicus,
out past the rock

that, like 'Tit Manan, is a restricted area, off limits
for all purposes but puffins',
they spotted him, slumped against the kegs. I find it
tempting to imagine what,
when the blood roared, overflowing its cerebral sluiceway,
and the iridescence

of his last perception, charring, gave way to unreversed,
irrevocable dark,
the light out there was like that's always shifting—from
a nimbus gone berserk
to a single gorget, a cathedral train of blinking, or
the fogbound shroud

that can turn anywhere into a nowhere. But it's useless.
Among the mourning-cloak-
hovered-over lilac peaks, their whites and purples,
when we pass his yard,
poignant to excess with fragrance, this year we haven't
seen the hummingbird.

—Amy Clampitt

EXPIATION

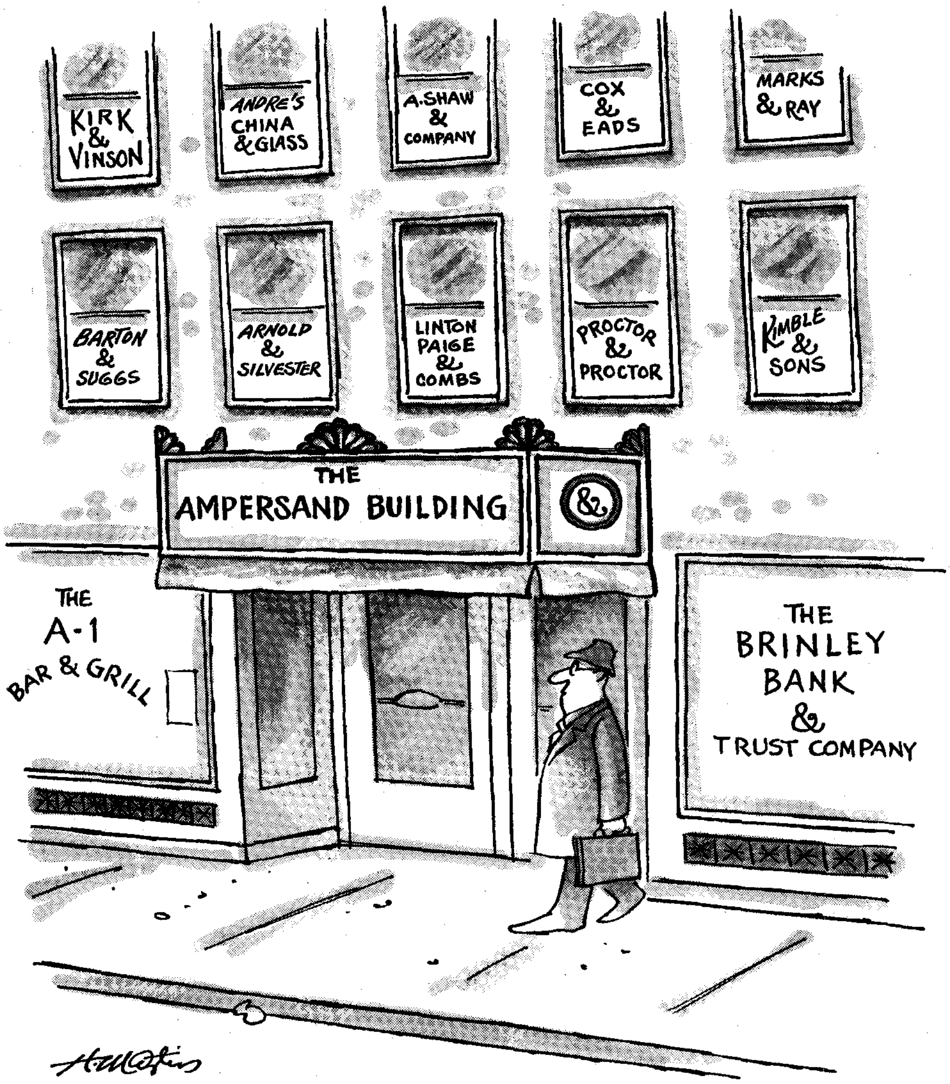
I WAS thirteen when he was born. He was the youngest of seven of us, of whom only I, my brother Sohan Lal, and one sister (who is married, in Kanpur) are still living. Even after he had learned to walk, I used to carry him around in my arms, because he liked it. The one thing I couldn't bear was to see him cry. If he wanted something—and he often had strong desires, as for some other child's toy or a pink sweet—I did my best to get it for him. Perhaps I would have stolen for him; I never did, but if called upon I might have done it.

Our father had a small cloth shop in the town of P—— in Haryana, India. Today this town is known all over the world for its hand-spun cotton cloth, which is made here, but when my father was alive he could barely make a living from his shop. Now we take orders from all the rich Western countries, and our own warehouse is stocked so full of bolts of cloth that soon we shall need another one. I have built a house on the outskirts of the town, and when we have to go any distance we drive there in our white Ambassador car.

On that day—a cold Friday in January—I stood outside the prison gates. I wore a warm gray coat. There was a crowd there waiting, and everyone looked at me. I had got used to that. For more than two years, wherever I went everyone had pointed and whispered, "Look. It is the eldest brother." My photograph was often in the newspapers; whenever I went in and out of the court, I had to walk past all those people with cameras, from the newspapers and from the television station. So when they took my photograph outside the prison that day, I didn't mind it. I stood and waited. My brother Sohan Lal was with me, along with some cousins and one elderly uncle. We waited and shivered in the cold. Our thoughts were only on what was going on inside. I kept reading the words that are carved over the prison entrance: "Hate the Sin but Not the Sinner."

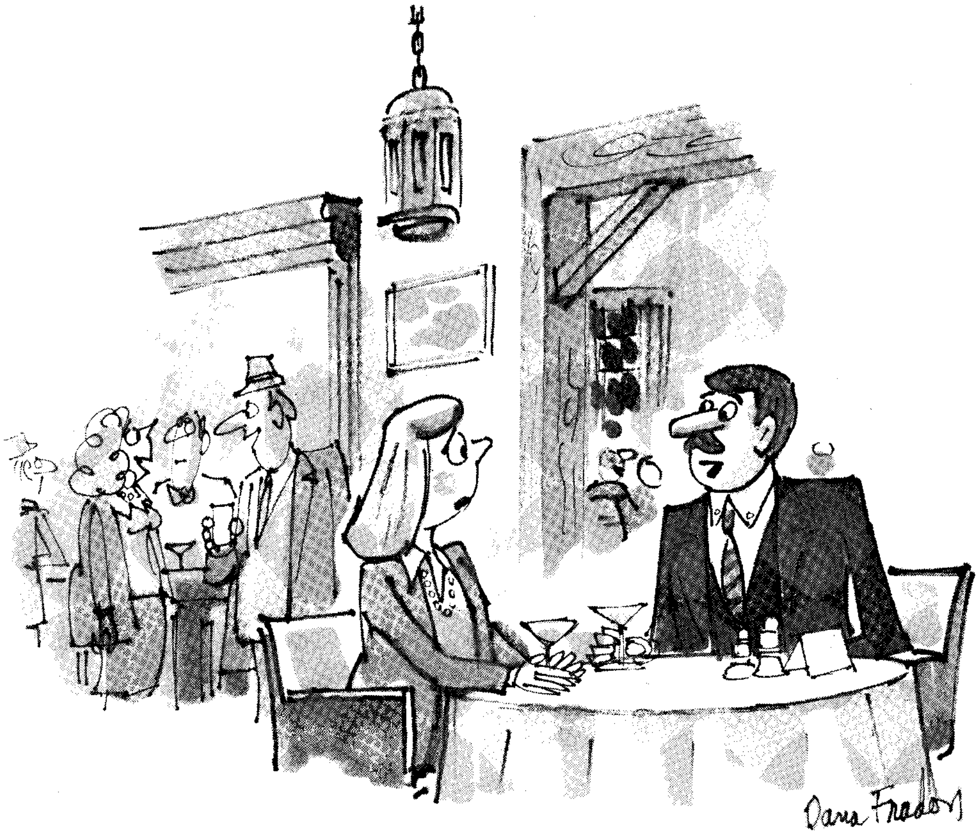
When they opened the gates at last, everyone rushed forward, but they would permit only me to enter. The old uncle tried to squeeze in behind me, but he was pushed back. I felt angry with him; even at that moment I had this anger against the old man, because I knew he was trying to come in not out of a feeling of love but to put himself forward and be important. They led me through the prison, which I had come to know very well, to where the body was. Everything was different that day. The courtyard and passages were empty, for whenever there is an execution they lock all the prisoners inside their cells. The officials and the doctor spoke to me in a very nice way. They stood with me while we waited for the municipal hearse, which I had ordered the night before. They had put a sheet over the face. I uncovered it to see him once more, though I knew it would not be the same face. Then I covered it again. I stood very straight and looked ahead of me. They offered me a place to sit, and I thanked them and declined. They spoke among themselves about the other body, which no one had come to claim. They would have to cremate it themselves, and they were discussing which warders should be assigned to this duty. They had neglected to place an advance order for a hearse, so they would have to wait. I don't know where the other body was; it was not with his. They must have put it aside somewhere else.

HIS name was Ram Lal, but we always called him by his pet name, Bablu. Besides being much younger than I, he was also much smaller in build. All our family, including the girls, are big; only he stayed small. I could lift him even when he was grown up. I used to do it for a joke. When I put him down again I would hug him. I often hugged him and kissed him. He knew I loved him. Before my marriage we shared a bed, and when he cried out in his sleep—he often had bad dreams—I pressed him against my chest. He was six years old when I was married. A little satin coat was stitched for him, and he sat behind me on the mare on



which I rode to the bride's house, with a band playing in front and cousins and friends (they had taken opium) dancing in the street. My wife's family made a good wedding for us, and he enjoyed it all. But he never liked my wife and she never liked him. From the beginning there was this between her and me. She tried to change my feelings for him and could not succeed.

It was not just weddings he was fond of but all festivals where special food is cooked and good clothes are worn. He didn't like anything that was old or ugly. He didn't like our home—two rooms in an old house in Kabir Gali, where we had to share a bathroom with eight other families. He was also unhappy sitting in the shop with me, because the bazaar is so crowded and smelly. At that time, the whole town was in a bad state, with all the old houses falling down and with dirty water from the gutters overflowing in the streets. In the old parts, it is still like that—in Kabir Gali, for instance, and in the bazaar where my father's shop used to be—but now there are also completely new areas, with bungalows and the temples that people have donated out of their black-market money. When we were children, all these areas were fields and open ground where we could play. He spent many hours there alone in those days. He sat by the canal or lay under a tree—whole days sometimes.



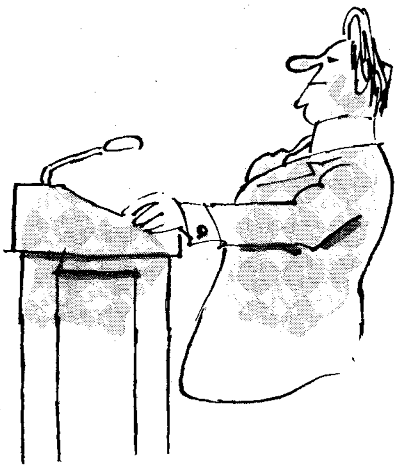
"I don't deny it, Wendy. There has been some slippage in my love for you."

• •

I expected him to be a good student when he grew older, because although he was so quiet, his mind was always busy. Even at night he was alive with those bad dreams he had, while the rest of us, heavy with food and the day's work, lay asleep like stones. But it turned out he wasn't fond of studying, and whenever possible he stayed away from school. By this time, with the growing market for our cloth, I began to get free of the debts by which our family had been bound hand and foot since my grandfather's time. There was nothing to spare yet, but when he wanted some little sum he could ask me and I was in a position to give it. He was fond of going to the cinema, and if it was a good film he would see it six or seven times. Like everyone else, he knew all the film songs, though he didn't sing them out loud. He never sang and he didn't speak much, either; he was always very shy and alone, even when he was enjoying himself in the cinema or at a wedding. His face was always serious. It was unusual, almost strange, to see him smile. That may have been because his teeth were so odd—very small and pointed, with spaces in between. When he did smile, his gums showed, like a girl's, and when he grew up and became very fond of chewing betel they were always red and so were his lips and tongue.

Now I must record a small incident that I have never liked to remember. It was not just one incident, in fact, but several. The first time it happened, he was about nine years old. One day when I came home, my wife told me that she had seen Bablu taking money out of the metal box that I used to keep under my bed. Her eyes shone as she told me this, as if she were happy that it had happened, so I frowned and told her he had taken this money at my instruction. She didn't believe me. "Then why did he say he was only looking for his slippers under the bed?" she said, challenging me. She said that he had tried to run away but that she had caught him and given him one or two slaps. When she told me that, I became angry and said, "How many times have I told you never to raise your hand to this boy?" For she had done it before—she is a strong woman, with a strong temper—and he had come to me crying bitterly and didn't stop until I had rebuked her. But when she slapped him because of the metal box he never mentioned the incident to me.

From then on, she was like a spy with him. She would watch his movements, and more than once she reported to me that she had awakened at night and seen him searching through our clothes. I wouldn't believe her; I told her to keep her mouth shut. She became cunning, and one night she whispered in my ear, "Wake up and see!" I didn't open my eyes. I didn't want to see what she wanted me to, so I turned around on my other side and pretended to be angry with her for waking me. Next day, when he came to bring me my food in the shop, I said, "Bablu, do you want money?" He said yes, so I gave him three rupees and said, "Whenever you need money I'm always here." He was silent, but he looked at me as if he were saying "Why are you telling me this? I know all that very well." His eyes had re-



mained as I remembered them when he was a baby. All small children have this very serious look—as if they know things their elders have forgotten—but with him it remained till the end.

PEOPLE say that you can learn a lot from a person's eyes. The moment I saw that one—the other one, the one whose body no one wanted to claim—I noticed his eyes. Although he was dark-complexioned, his eyes were very light—like a Kashmiri's or a European's, or even lighter, for they had no color at all, so that at first it looked as if he had no vision but had lost it because of disease. I hated and feared him from the beginning. We all did, yet we had to tolerate his presence in our house. I even had to be grateful to him, because it was he who had brought Bablu back after he was lost to us for over two years.

When Bablu was sixteen, he wasn't like other boys—nothing like the way Sohan Lal had been at that age, when we had had to find a bride and marry him off before he became too troublesome. Bablu was no trouble at all in that way—or in any other way. He never even smoked or drank anything. He was fond of nice clothes made of Terylene, and modern shoes with pointed toes. He also grew his hair long, and to keep it in place used a costly brand of oil, with a very sweet smell. But it is common for young boys to be careful of their appearance. Sohan Lal also dressed up and sat with his friends outside the Peshawar Cafe, and they talked among themselves the way boys do, and when girls walked past they shouted. This behavior is to be expected before natural satisfaction is obtained in marriage.

Bablu, though he dressed so nicely, never sat with friends in the Peshawar Cafe. He was always by himself. Never once did I see him with a friend. He didn't care to come and help us in the shop or with the rest of the business, which was just starting to do well. Most of the time he stayed at home. We were still in our house in Kabir Gali; it was a very small place, but during the day the children were at school and Sohan Lal's wife liked to go to neighbors' homes to talk. So usually there was only my wife at home with Bablu. She didn't like it; she kept asking me to send him to the shop or find some other work for him, but I said let him be. Although he never did anything or had anything to read except some film magazines, I could see that he was thinking all the time. I had respect for him for being such a thoughtful person and not at all like Sohan Lal and me, who were always busy and had no inclination for thinking at all.

One night when I came home, my wife called to me from the other room—the one where our beds were put out at night, and also where I kept a metal safe I had bought when the business began to progress. When I went in, she wouldn't let me put on the light, but I saw at once that the safe was open; the bundles of money I'd had in it were gone, though the jewelry was intact. My wife was sitting on the floor. "Quickly," she said. "Help me." I squatted down beside her, and she put one hand over my mouth to stifle my cry. I saw that she had tied up her arm with a bundle of cloth, but already this cloth was soaked in blood. Neither of us spoke. I threw a shawl round her and, hurrying through the other room where the family were all sitting, I took her out into the street and put her in a cycle rickshaw, and we went to the hospital. There she explained that the knife had slipped while she was cutting up a chicken that she was preparing for a feast.

We didn't see him again for two years. At first I was glad he was gone, and I told a lie to everyone about how I had sent him to Ludhiana to look after a new business I was starting there. I even told this lie to Sohan Lal, and he kept quiet, knowing there was something it was better for him not to know. If only I, too, could have remained as ignorant! But my peace was gone, even my sleep was gone. Every night, my wife lay beside me, and she, too, was awake, and I knew she was seeing again what she had described to me—the expression on his face when he turned round to her from the safe. He had raised his hand, and though she didn't see the knife in it she quickly put her arm over her chest—and what if she had not done so! Even in the dark, I covered my eyes so as not to see such a thing. I thought also of how he had taken the key of the safe out of my pocket and had had it copied in a shop, and of how he had thought all this out while he sat with me at meals, so quiet and sweet-natured, and while he had stood before the mirror and combed his hair up into a wave, his eyes serious and pure like a child's.

So at first I was glad he was gone. Then I began to miss him. I thought of the bundles of money he had taken with him and of how unsafe it was for anyone, let alone a young boy, to travel with so much cash. Secretly, I arranged to put out a search for him. I changed my story and I told everyone, even relatives, that he had run away—probably to be in films in Bombay, like so many other boys. I inserted adver-

tisements in many newspapers all over India, in English and in Hindi, with his photograph and, printed underneath, "Bablu, come home. All is forgiven." The advertisement offered a reward of two thousand rupees. There was no result.

During all this time only my wife knew the true story. She kept quiet—even with her own family, her own brothers. She told them only what I had instructed her to say: first, that he had gone to Ludhiana, then that he had probably run away to Bombay, where the film studios are. Her arm healed slowly; she was often in pain, but no one knew what had happened except me. Up to this time, we had enjoyed frequent marital intercourse; now we only lay silently side by side. I thought not of her but of him—not of his turning around from the safe with his arm raised but of his travelling alone with the money and of what could have happened to him. She knew what I was thinking, and to calm me she made those sweet noises at me she makes at our children when they are sick or are crying.

So two years passed, and in that time our new house was built. It was also for Sohan Lal and his family, but because his wife does not get on with mine—it is the usual story with sisters-in-law—they all stayed behind in Kabir Gali. Of course, I was sad to see our joint family split in this way, but secretly I hoped that Bablu would come back one day and then I would find a wife for him and they would live with us in our spacious new house. And then he did come back, and he did live with us—not with a wife but with that one, the other one, Sachu, he called himself.

Although the things Sachu had done and the way he had lived only came out afterward in court, he seemed to carry them around with him, so that wherever he was the air became foul. He was small and thin, like Bablu, and except for his colorless eyes there was nothing to notice. He wore a dirty, torn pajama, and a dirty, torn shirt over it. Bablu, too, was in rags. All the money must have gone long ago and they were destitute. They were hungry, too. When I saw my brother fall like a starving dog on the food we gave him, I said, "If you had written one word, I would have sent whatever you needed." Sachu said, "Don't worry, I've brought him home now." Neither of them ever said much, but when there was an answer to be given it was Sachu who spoke. And it was he who said, "Don't forget the reward—two thousand rupees." He laughed, so I thought he was joking. It was always difficult to know what he meant, because his eyes were blank like glass.

Our new house was built in such a way that the room where visitors are received is separate from where the family lives. This room is at the front of the house and is much larger than the rooms crowded together at the back, where we keep our cots and cooking vessels and other very simple furniture. For the front room we have bought a sofa and matching chairs and a table with a glass top, and there is a glass cabinet in which my wife keeps pretty dolls and other ornaments. Here we also have a television set and a radio. This room was now given over to Bablu and his friend, and they made themselves comfortable there. It was hard to see Sachu putting his dirty feet up on the blue velvet sofa, but it was better than to have him in the back of the house with the family. So I kept quiet, and my wife also kept quiet. She had to—the same way she had to about the wound in her arm. We didn't even speak out our fear to each other.

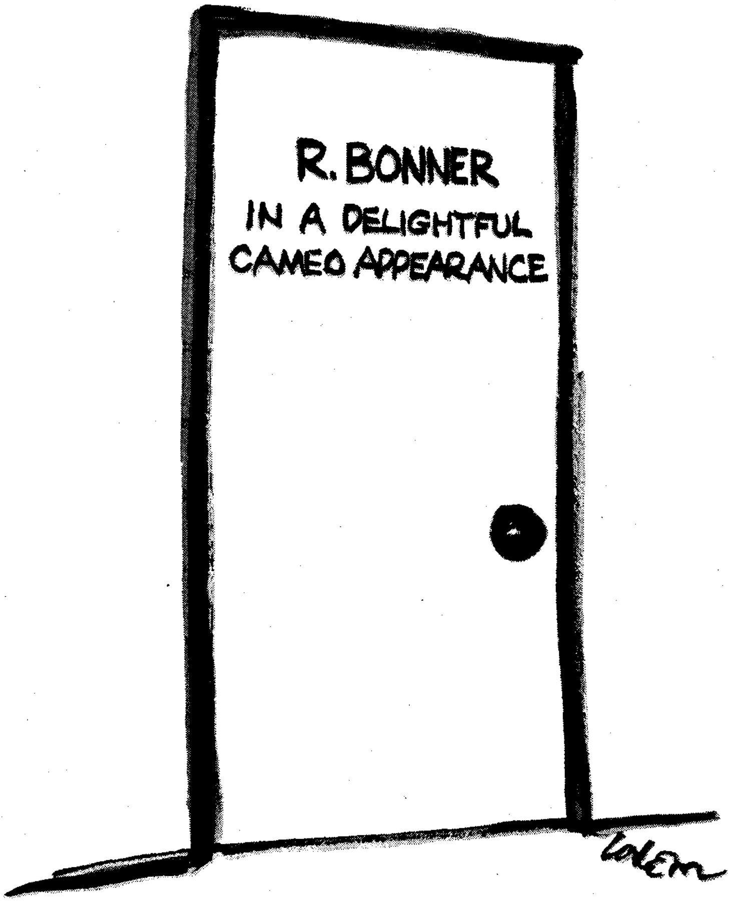
When Sachu asked me again for the two-thousand-rupee reward, I gave it to him. After all, it was his right. And when he asked me, "Aren't you grateful I brought him home to you?" I said yes. It was true. Now at least I knew where Bablu was—in the front of my own house—and I did not have to imagine what his fate might be. He was alive and well—and now that he ate good food and slept comfortably he was very well! I had never seen him so happy before. I have mentioned how rarely he smiled and looked glad, but now he did it all the time, showing his little pointed teeth and his gums stained red with betel. For the first time, he had a friend whom he loved. They were together all the time. They sat side by side on the wall by our house, swinging their feet and holding hands, the way friends do. They both liked playing the radio and watching television. Once I saw them dancing together, holding each other the way English people dance. I had to smile then—because it was a strange sight and also nice for me to see Bablu enjoying himself. I began to think that my fears were foolish and that it was good for him to have Sachu for a friend. I can't say they were any trouble to us. My wife also had no complaints on that score. They were never disrespectful, and they behaved decently. They didn't mix very much with us but kept themselves apart in the front room. They even ate their meals there, brought to them by the servant boy we kept in the house.

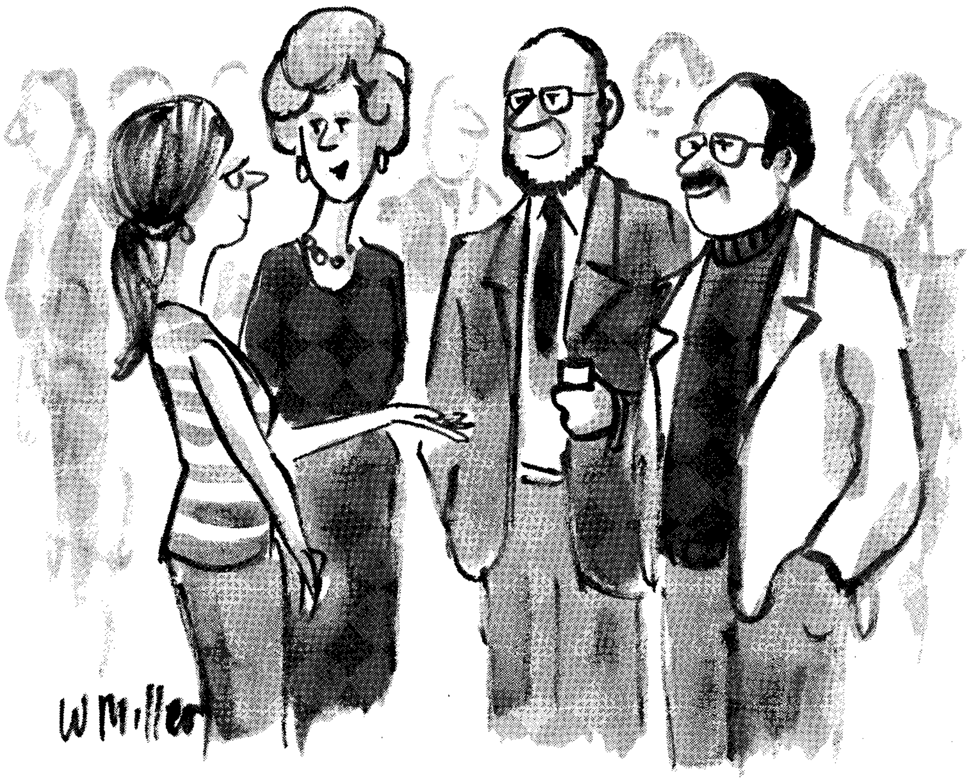
ALTHOUGH he has nothing to do with what happened later, I must say something about this servant boy. Before he came to us he was working in a tea stall, serving customers and washing cups and plates in a bucket in the back. He also slept there at night. He had no other home and no family; no one knew where he came from. He was about twelve or thirteen years old. He couldn't read or write, but he was a willing worker. When Sachu and Bablu came, this boy changed completely. Now all he wanted was to be near them. He would sit in the doorway of the front room, waiting for them to send him out for betel or cold drinks, or to take their clothes to the washerman. They had good clothes now and were very careful to have them always nicely washed and pressed. I have seen this boy arranging their clothes and touching the fine cloth as if he were touching a woman. When my wife called him he pretended not to hear; perhaps he really didn't hear her, because all his attention was on those two. He tried to comb his hair up in a wave like theirs, and he begged my wife to buy him bell-bottom pants instead of the khaki shorts she had given him. Later, after the two were no longer with us, this boy became worse and worse. He mixed with bad characters and hung around the bazaar and cinemas with them. He stayed out all night and could never be found for work, until at last my wife dismissed him. He got a job as servant in another house but soon disappeared from there with money and valuables. A report was lodged with the police, but he was never found. Probably he got on a train and went to some other town. There are millions like him, and no one can tell one from the other. They eat where they can, sleep where they can, and if they get into trouble in one place they move on to another. They may end up in jail on some case that never comes up for trial, they may die of some disease, or they may live a few years longer. No one cares where they are or what happens to them. There are too many of them.

That was Sachu's defense for his crime: no one cared for him, so he cared for no one. The time of the trial and afterward, after the sentence, was Sachu's great hour. He became a big man and gave interviews to journalists and made them listen to his philosophy. He boasted of all the crimes he had committed before he came to our town. He had been in jail many times, he said, but he had never been convicted of any of the other murders to which he now admitted. He said he would kill anyone if he wanted something they had, even if it was only a ring that he liked. He said that human beings were not born to be poor, otherwise why should the earth be so full of riches, with mines full of gold and precious gems, and with pearls scattered in the ocean? His father had pulled a handcart for a living and had had nine children. Probably those who had survived were all pulling handcarts now—all except him, Sachu. He had wanted something else, and if it had brought him death on the gallows, all right, he was ready. He had always been different from his family; he had run away from them at the age of ten, when he had overheard his father and elder brothers planning to break his leg in order to make him change his bad ways. Since that day he had been on his own.

MY prayer to be relieved of their crime has been answered, so that it is no longer before my eyes day and night. Now it is as if it were locked away in a heavy steel trunk; this weight may be taken from me at my last hour, but until then I carry it inside myself, where only God and I know of its constant presence. After a while there is nothing more you can do or suffer. I have also prayed on behalf of the father of the victim—that the man's suffering may be made bearable for him, if such a thing were possible. Day after day I was with this man in the courtroom, but I can say nothing of his appearance, because not once in all that time did I dare to raise my eyes and look at him.

The famous Parsi lawyer I engaged for Bablu's defense believed that they never intended to kill the boy but meant to release him after collecting the ransom money. Very likely this is true. It is certainly true that while they were living in my house they made their plan to kidnap him. At that time there was a popular film playing about a dacoit who kidnapped a highborn girl for money, but then he fell in love with her and she reformed his ways. It was one of those stupid Bombay films that people like, including my wife, who made me take her to see it because it had her favorite actor. A mother with three children, but still she has a favorite actor! Sachu and Bablu went four or five times, and they knew all the songs and dialogue by heart. So the idea of kidnap must have got into their heads. There were enough rich people in our town—many of them like myself, who a few years ago were only humble shopkeepers and were caught up in the big boom in cotton cloth. Such people spent a lot of money on themselves


R. BONNER
IN A DELIGHTFUL CAMEO APPEARANCE
Loren



"I'd like you to meet Albert Dunlop, who admires and is influenced by the writing of Philip McQuire, and Philip McQuire, who admires and is influenced by the writing of Albert Dunlop."

• •

and their children and lived like millionaires; some of them already *were* millionaires. However, it was not one of their children who was chosen.

P—— is a cantonment town, and we have always had a regiment stationed here. The cantonment area is quite separate. It has wide roads and brick barracks, and the officers live in bungalows with gardens. Everything is very clean and very well kept up. The soldiers are healthy and sturdy and look quite different from the townspeople. The officers and their families are like higher beings; they are well built, with light complexions, and they are educated gentry, speaking English with each other. Some of them even speak Hindi with an English accent, like foreigners—like sahibs. They also live like sahibs in their big bungalows, and drink whiskey-and-soda, and their cooks prepare English-style food for them, with roast meat. The boy's father was the commanding officer—he had the rank of colonel—and his memsahib, the boy's mother, was from one of the princely families who have lost their title but still have houses and land. (She has since passed away.) The boy was their only child, and they had sent him to a boarding school in the hills to get a good education. The reason he was in the cantonment at that time was that there had been a measles epidemic in the school; all the unaffected children had been sent home as a precaution, to safeguard their health.

Everyone knows what the boy looked like. His photograph has been in the newspapers as often as Bablu's and Sachu's. Sometimes all three photos were on the same page, and even though they were not clear in the newsprint it was evident that the boy was of a different type from the two others—as if he came from some different stock or species of human being. In Sachu's interviews with the newspaper reporters, he sounded as if he hated the boy, because the boy was plump, with big eyes and a light complexion, and wore a very good blue coat, with the badge of his school on the pocket. And because he had roller skates. No one had heard of roller skates in our town till the boy was seen with them. His parents had brought them as a present for him from abroad, and the boy loved them so much that he went on them everywhere, as with wings under his feet.

It was because of these roller skates that Bablu and Sachu were discovered very quickly. It was also all they got from their crime, for although the father had put the ransom money in the place they had indicated, they did not dare collect it after killing the boy. They had so little cash that they had to sneak onto a train as ticketless travellers. When an inspector came, they had to jump off. This was in a town less than two hundred miles from ours. They took a room in a hotel in a bad part of town, and they never came out except at night, when one of them went out to buy gram, which was all the food they could afford. Their room was very small, with only one bed and an old fan, but here Sachu tried to learn to roller-skate. This made the whole house shake, as if it were in an earthquake, and everyone in the hotel wondered what was happening. They also heard the noise of someone falling, and then the two young men laughing in enjoyment, so they tapped on the door of their room to inquire. Sachu let them come in and look, because he was so proud of learning to roller-skate. Everyone smiled and enjoyed his feat, but when there was news everywhere of a boy killed and of his missing roller skates the police were informed at once.

Up to that time, the two of them had been lucky, even though their crime had not been well planned. They had stolen a car from outside the interstate bus depot, and had waited near the cantonment for the boy to pass on his roller skates. They had no difficulty getting into conversation with him; he was frank and open in his manner—everyone said so later—and was always glad to talk to people and make friends. They got him into the car and drove him to the place they had chosen for their hideout. Here they tied him up with chains, and Sachu—Bablu couldn't drive—took the car to the other side of town and abandoned it there. It was found by the police the same day, though they found the boy only when he was dead.

There are many places where a person can hide around our town. Important battles have been fought here, and it has been destroyed and built up again many times. Ruins are all around—the foundations of beautiful cities, with the remains of tombs, mosques, and bathing tanks. Since it is a very dry area, very little vegetation has grown, and there are only mounds of rubble and dust, where jackals live and can be heard howling at night. The two took the boy down into a bathing tank, which had been dug so deep into the earth that there were forty steps descending into it. All round the tank were arched niches like rooms. In olden days, it must have been a beautiful, cool place for royal people to bathe and rest and take enjoyment. Now the tank is empty and dry. They kept the boy in one of the niches and stayed with him there for four days, all of them living on milk sweets.

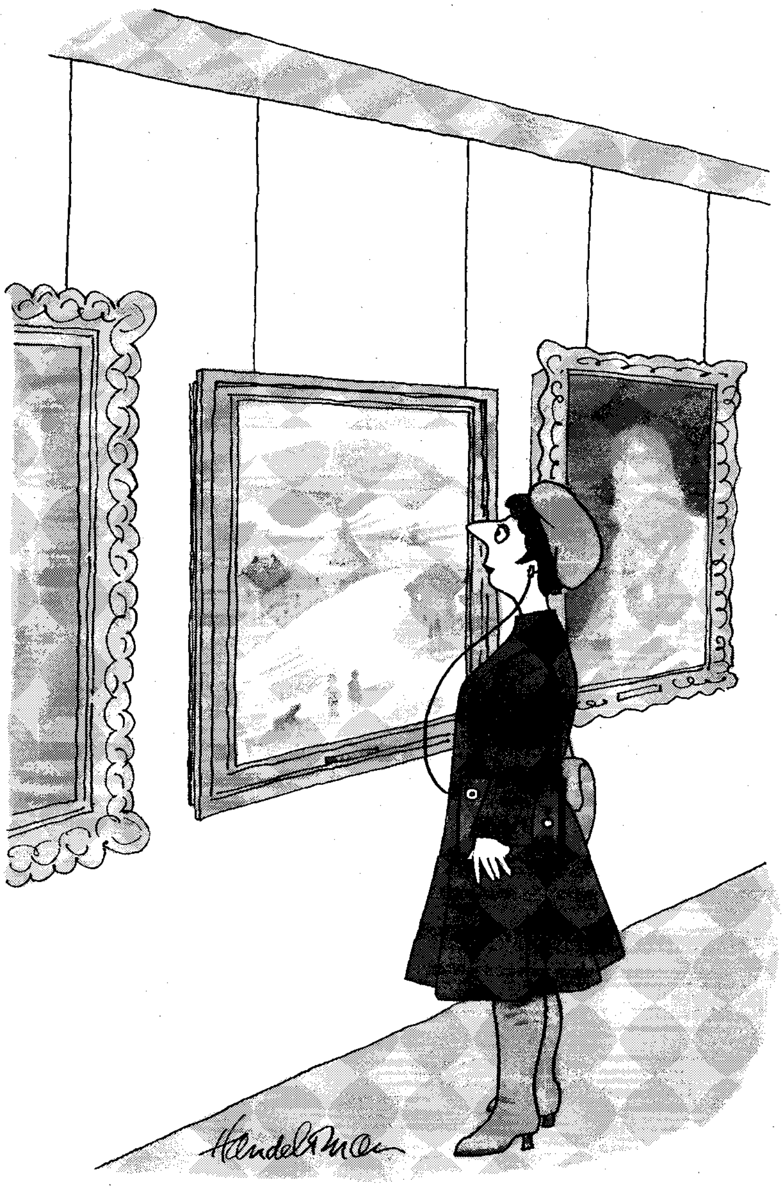
AFTER they were arrested, Sachu talked freely. It was as if he had waited all his life for people to listen to what he had to say. He was a person of no education, and could not express himself, yet words and thoughts always seemed to boil up in him and come gushing out freely. One thing he could never bear was to be contradicted or interrupted; he wanted to be the only one to talk, and others were there to listen. After his arrest, if any journalist challenged him or talked back to him, he went into a rage. Sometimes he seemed to fly into the same rage when talking about the boy; he spoke as if the boy were still alive and challenging what he was saying. Then anger filled his empty eyes.

The Parsi lawyer wanted to present the case with the claim that Sachu had stabbed the boy with his knife during an argument between them. It was soon established that the boy didn't sit quietly and whine for mercy while he was being kept prisoner. He was a fearless boy and also a first-class debater who had competed for an interschool trophy. He liked talking and arguing as much as Sachu did, and although he was seven years younger (he was thirteen), he was much better educated. When Sachu spoke to the boy about society and astrology and what is man's fate—the same way he later talked to the reporters—the boy could answer him and argue with him, and he could even quote from books he had read at school. The Parsi lawyer said that when Sachu was defeated by the boy over and over again in argument he became so enraged that he killed him. Sachu alone did it, and Bablu was innocent. And Sachu said yes, that was the way it happened, and then he boasted of the other murders he had committed, which no one had ever discovered.

But Bablu said no to the Parsi lawyer, that was not the way it happened. Bablu said, "I did it—not Sachu." Then the lawyer appointed to defend Sachu wanted to make a case that Bablu had killed the boy out of jealousy, because he saw that his friend was paying a lot of attention to the boy and spent many hours talking and arguing with him. The lawyer said that the boy was not only educated and cultured but also very handsome—soft-skinned and wheat-complexioned. (The medical report had established the fact that sodomy had taken place.) Bablu was ready to confirm what the lawyer said and to admit that he had killed the boy because he could not bear to watch what Sachu did with him. He confessed this in a very quiet voice and without raising his eyes—not out of shame, it seemed, but because he felt shy about talking of this matter.

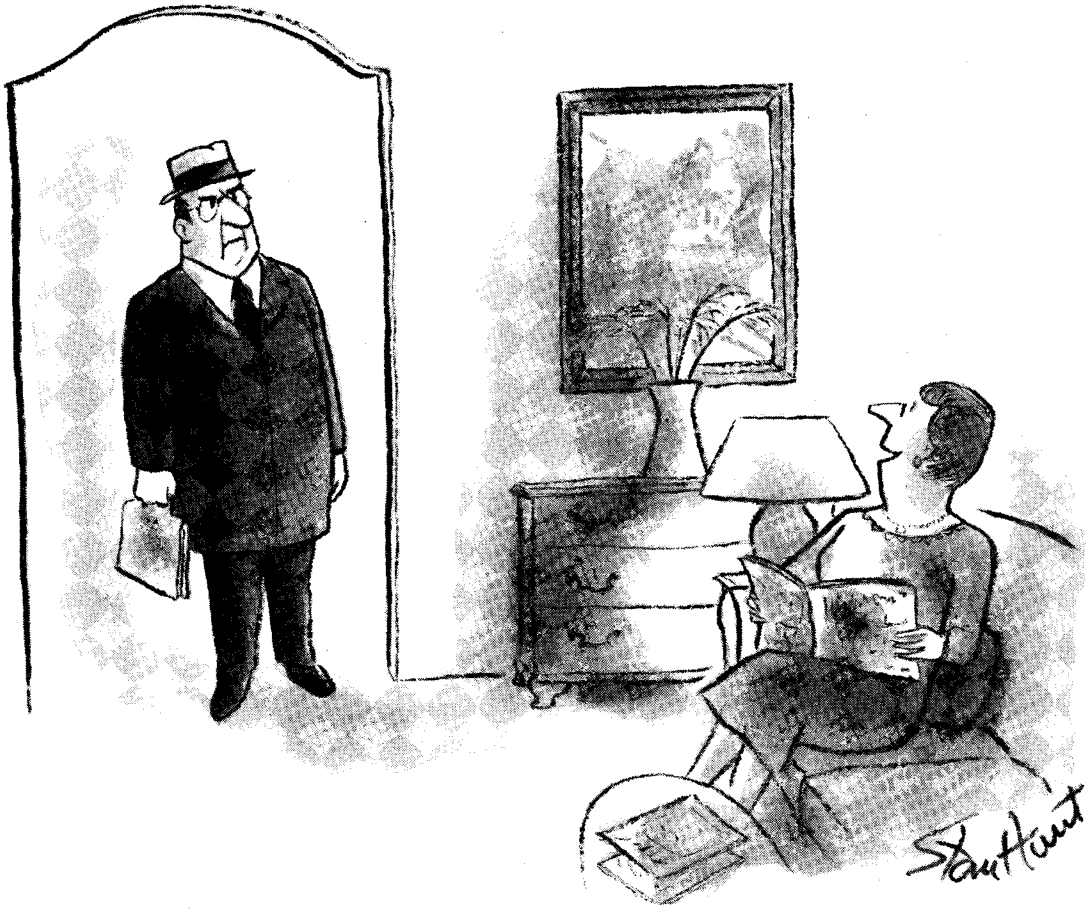
All this time Bablu never changed. Unlike Sachu, he hardly spoke to anyone but appeared so sunk in his own thoughts that one didn't like to disturb him. As before, his face was very serious, and his expression altered only when he read the newspaper reports of the interviews that Sachu had given. Bablu eagerly waited for me to bring him these newspapers, and when he read them he smiled—that smile, with his little pointed teeth and betel-red gums, which always gave me a shock to see. It didn't seem to belong on his face—any more than that other expression my wife had once described to me, when he had turned from the safe and raised his hand with the knife.

Since each of them was ready to plead guilty to save the other, their lawyers got together and tried to prove that they had never met the boy—that someone else had killed him and they had only stolen the roller skates. It was a very weak case, and no one believed it. In the end, both were found guilty, and both



"We like this picture very much. We don't know why. We just do."

were hanged. The burden of what was done has remained with us who are living. My brother Sohan Lal and his family have emigrated to Canada, and at first I, too, intended to leave this place where our name is known. But in the end I stayed. We are still living in the same house, though at first I had intended to sell it. For a long time we kept the front room locked and lived only in the back—no one even went in there to clean—but slowly we have got used to going in there again. At first, only the children went, to look at TV if there was a good program on, but now my wife and I also sit there sometimes, and it is becoming like an ordinary room where nothing has happened.



"Ah—the quintessential you."

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After the final appeal was dismissed and there was only one week left, they allowed me to visit the prison every day. I always brought his food with me. All this time, I had been providing his meals at the jail. At first, I bought his food from a cooking stall and sent it to him in the little mud pots covered with a leaf that they give you in the bazaar. But after a time, and without anything being said, my wife cooked his food herself, and it was carried to him in dishes from our house. I was glad to be able to provide this home-cooked food, which he liked and was used to. But soon I discovered that he ate only a part of it, and had the rest taken away to Sachu, for whom no one sent anything, of course. When I mentioned this to my wife, she began to send more food, and after a time there were always two dishes of everything.

On the last day, when he asked me to see Sachu and say goodbye to him, I said I would but I didn't do it. So it was that my last word to him was a lie. He asked, "Did you see him?" and I said, "Yes." But next day I did something I hadn't expected. When the hearse arrived to take Bablu, I told the prison officials that I would take the other one, too. They agreed and were glad to be relieved of this charge. So I took both of them to the electric crematorium, and there I performed for both the ceremonies and prayers due to a brother. Sohan Lal and the rest of my family blamed me for this and said I had polluted the last rites. They were all angry and refused to participate in the final ceremony, when the ashes are committed to the river. I didn't care and prepared to do it on my own.

I bought two silver urns and returned to the crematorium to collect the ashes. I had determined to go to Allahabad, to the most holy and purifying place of all, where the three great rivers meet and mingle, but a lot of business came up during the next few days and I could not leave at once. I placed the two urns in the front room, and when I was ready to leave I packed them in a cardboard box I had brought from the warehouse for this purpose. The night before, I told my wife to wake me early so that I could be in time for the plane. She said, "I will come with you," and in the morning she was ready in new white clothes. We drove to Delhi to go to the airport there. They allowed us to take the box on board as our hand luggage, and she held it in her lap. She had never been on a plane before and was very excited, though she pretended not to be. She kept looking out of the window to see the clouds and whatever else you see. Once, she turned to me and said, "Bablu has never been on a plane before." I didn't answer her but I thought, Yes, it is true; it is the first time for all three of them. The two others would have enjoyed it, too, and would have been as excited as she was, sitting there with the box in her lap. In Allahabad we took a boat, and a priest went with us, and there was a very beautiful ceremony as the ashes were committed at the confluence of these very holy rivers—the Ganges, the Jumna, and the Saraswati.

—RUTH PRAWER JHABVALA

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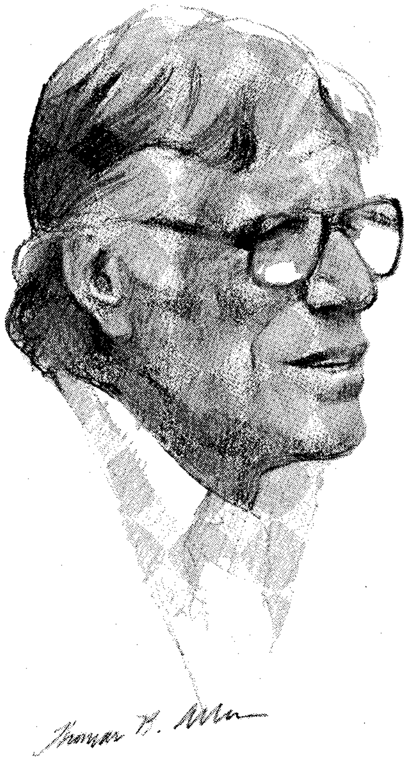
Because of a ruling last week by Thurston County Superior Court Judge Gerry Alexander, the state was preparing Tuesday to pay its employees 80 percent of their salary at the end of this month, and the other 20 percent on Sept. 100.—*Ellensburg (Wash.) Daily Record.*

Or even later.

PROFILES

CITY VOICES

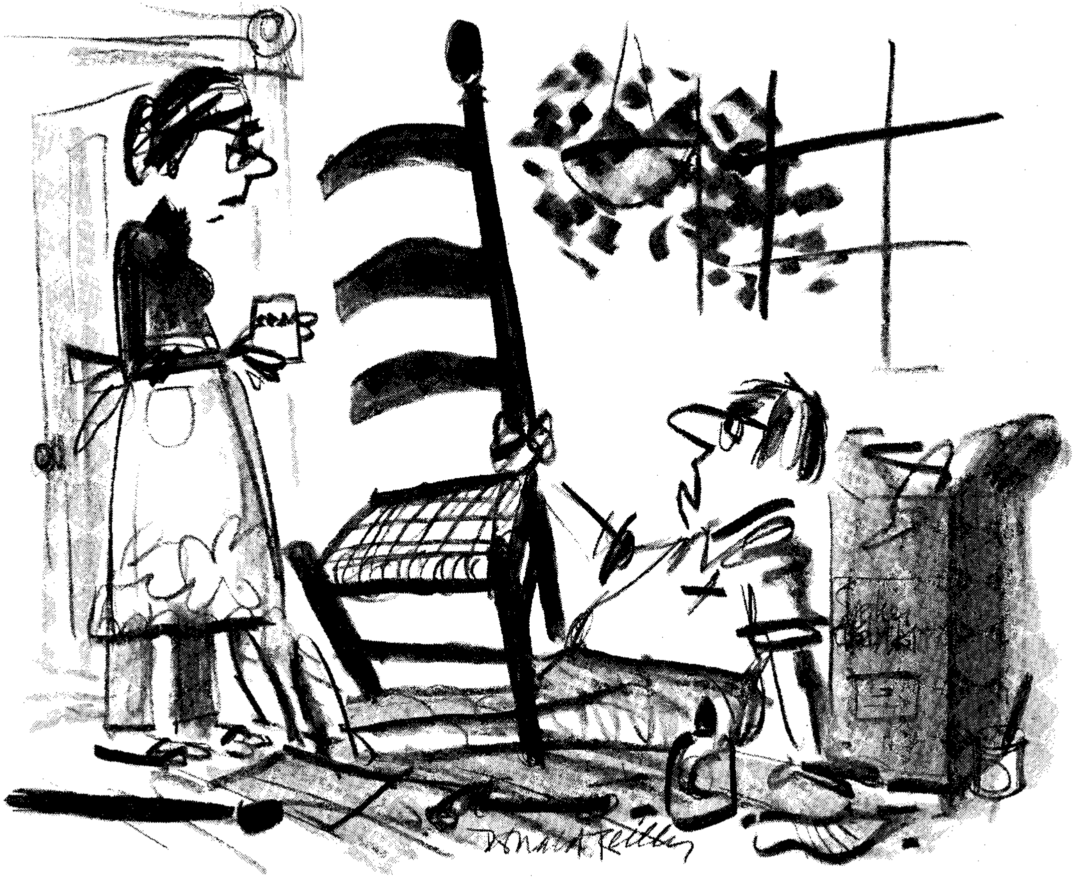
BRADLEY CUNNINGHAM



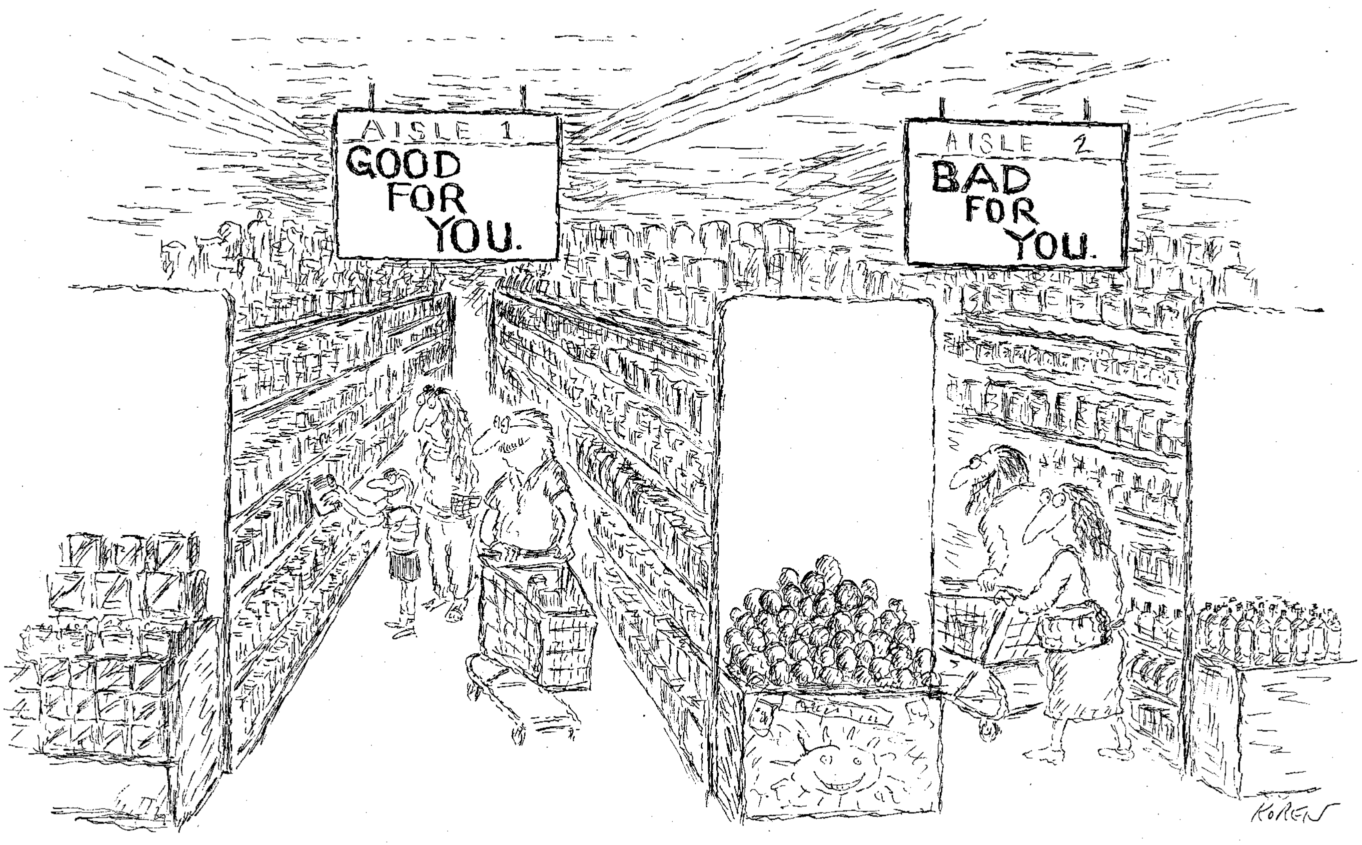
PART of the success of Bradley's, which occupies the ground floor of a brick-faced brownstone on University Place between Tenth and Eleventh Streets, is its benign mysteriousness, its avoidance of being categorized. "How can you get tired of a place when you don't know what it is?" one of its oldest customers has asked. "Every time you go in, you think you're going to find out. But you don't. So you go back again." Some of Bradley's customers think of it as a bar. They never get past the sixth or seventh bar stool (the bar is to the right of the door, and it runs about thirty feet), and can tell you little of the rest of the place. Some customers consider it a unique jazz club, where, seven nights a week from ten o'clock on, they can hear such jazz pianists as Teddy Wilson, Tommy Flanagan, Hank Jones, and Joanne Brackeen. Other customers, particularly older locals, think of it as a restaurant where they can eat a peaceful early dinner and be home in time for the seven-o'clock news. Still others, taking the food and the music largely for granted, consider it a semiprivate club, where on bleak evenings they can generally find a friend to talk to or, failing that, the proprietor himself, a quite famous Village person named Bradley Cunningham. Three of these club members recently talked about Bradley's. The first, a retired magazine editor, lives a block or two away. "Bradley's is a haven—figuratively and literally," he said. "One night, I beat two guys to the door who I'm sure were going to mug me. Bradley runs a clean house, a good house. The waitresses are friendly, the food is friendly, and there's always somebody to talk to. It attracts people who are not bores. I like the music—Tommy Flanagan best of all. The music just ripples off him. If anyone gets obstreperous in the place, God help him. The other evening, some guy who'd been drinking a lot brandished a gun, and Bradley threw him the length of the bar and into the street. He ran over him like a tank." The second club member is a feminist writer who lives in Murray Hill. "I'd never think of going to Elaine's by myself, but I've been in Bradley's alone many times," she said. "It's like a family there, a strange family—a family that can be a combination of writers and business types and musicians and neighborhood people, and even uptown people. Bradley runs a very good place. It's never been corny, and he doesn't tolerate silly business with drunks or people getting out of hand. He always keeps the place at an interesting level. Bradley first had a following when he tended bar at Chumley's, and when he moved to the 55 Bar people followed him. Then, when he opened Bradley's, they followed him there. He's attractive to both women and men, but he's hard to talk to and he's a hard person to know. He's very bright and he's very moral. If he cares about you, he's loyal to the death. He very rarely entertains at home. That's what Bradley's is for him—a living room to entertain his friends and himself in." The third club member is a painter who lives on Twenty-second Street. He likes to go to Bradley's and listen to the conversations at the bar: "One night, these two high-powered New York types were sitting there trying to one-up each other. One said, 'I went to camp with Bobby'—meaning Bobby Kennedy. The other said, 'Bobby and I were in the same graduating class at Harvard.' The saxophonist Al Cohn was standing there, and he said, 'I met Babe Ruth once.' I asked Cohn what Ruth had said to him, and Cohn replied, 'Hiya, kid.' "

Bradley resembles a djinni. He is wide-shouldered, thick-chested, long-armed, rock-fisted, and tall, and he seems to swell as he talks to you. His head is covered with wavy, graying hair, and his eyes are green and deep-set. His face is craggy and handsome. He has a Kirk Douglas smile. Bradley's office is in a tiny room off a passageway from the dining room to the boxy, gleaming kitchen, and it has a small Formica-topped desk built into one wall, two desk chairs, a knee-high filing cabinet, and a narrow barred window with an air-conditioner in it. A big plastic container next to the window holds the waitresses' work shoes. A primping mirror hangs on the wall, and there are photographs of jazz musicians and singers. Bradley, seated at his desk, fills the room. He has just had his lunch at the bar—two fried eggs over, bacon, and hashed-brown potatoes. He likes to talk, and he speaks in a universal, nondenominational drawl full of silences and stretched, see-through words. His laugh is robust and explosive. He lights a cigarette, and says, "Our menu hasn't changed essentially since we opened, thirteen years ago, so I've just hired my friend Miriam Ungerer, who writes about food and is married to Wilfrid Sheed. She's going to upgrade the menu—cue us in to the food explosion that's been going on out there. I've never been as interested in food as I should be. The first place I owned—the 55 Bar, at 55 Christopher Street—didn't have any at all. It was and is a drinking place that offers alcohol, cigarettes, and a jukebox. You'd have thought from the look of it that I threw a hand grenade inside and we were open. Actually, I put a billiard lamp over the table in the Hawaiian Room, which is a booth at the back of the place—the *only* booth—and I put Reynolds Wrap with holes punched in it over the other light fixtures. I replaced the twenty-eight-inch television set with a jukebox, because I didn't feel it would be consonant with the kind of place I had in mind to have neighborhood guys sitting around with a beer in hand watching 'On the Waterfront.' In fact, I had a big list of people I didn't want in there. The people who worked for me weren't going to be subjected to the nonsense I'd been subjected to when I was a bartender. The 55 opened the night of the blackout in November of 1965, and we did a hundred and eighty-five dollars of business, which wasn't bad. The 55 eventually made a lot of money, and it could still be making money, but I haven't paid much attention to it in years. It got very raffish, even riffraffish. So I've sold it, and we're just waiting for the State Liquor Authority to O.K. the sale. When the 55 was on its feet, I began looking at a bar on University Place called the Stirrup. It was full of Naugahyde banquettes with aluminum trim, and the walls, which were varnished white pine, were covered with English hunting scenes. The place had a cheap blond look. But there was something about it I liked very much, and in June of 1969 Jerry McGruddy and I took it over. We paid thirty-five thousand, and put fifteen more into it. McGruddy had been involved in Casey's, on West Tenth Street. Casey's was a beautiful jet-setty place, with good French food, that had been started by my friend K. C. Li. He was a Flying Tiger, and later he was in the tungsten business, and he had put a quarter of a million dollars into the restaurant. He and McGruddy parted company, and McGruddy was looking for something else. We replaced the banquettes with tables. We stripped the pine panelling, and stained it mahogany. It was my notion to put the mirror over the bar, and it was McGruddy's to call the place Bradley's. Everybody, including me, thought it was a bad idea, but I acquiesced as a consequence of my vanity, which is just below the surface." Bradley laughs, and goes into the bar to get a Coke.

When he gets back, he lights a cigarette. "We opened, and nothing happened. The help was getting paid, but we were scraping bottom. I used to stand out on the sidewalk and say to myself, 'There are eight million people in this city, and, please, all I need is forty of them.' The next spring, I went to Portugal for a couple of weeks to visit friends. David Sharpe, who had worked for me at the 55, had opened a place called Godot's, in Praia da Luz. I was in there talking to him one evening and I wasn't getting much response, and suddenly I realized why. He was doing exactly what I had been doing for months in New York—looking at the goddam front door and waiting for customers to walk in. Then my friend Danny Dod, who had come to Bradley's as bartender from the 55, called me in Portugal and told me I'd better get back—things were getting busy. *New York* had run a little piece with a photograph of Woody Allen and me at the bar. I came back, and we *were* busy, but the food wasn't together yet and we lost it. Then we hired Afortunado Perez as our chef. He's Puerto Rican—a Nuyorican, as the Puerto Ricans call people who emigrate to New York. He was the second cook at the Renaissance, on East Forty-ninth Street, and we offered him more money. He's been with us almost ten years, and he's hardworking and loyal. Then McGruddy suggested we hire a piano player. They'd had one at Casey's, and it had helped attract people. I play a little piano, so I put in an electric piano I'd bought from Roy Kral for three hundred and fifty dollars, and the first person to play it was Dave Frishberg. Joe Zawinul, of Weather Report, came in later that year, and he started in full speed ahead—lighting a stick of incense and playing all this fast, heavy stuff during dinner. I told him none of this would do, and we had some words. But he settled down, and later we became pretty good friends. In fact, most of my friendships have started that way—clear the air first, then look around and see where you are. By 1972, the place had taken off. We were paying our bills, and even taking out a stipend. So McGruddy



"(A) the Shakers didn't work from kits, and (B) they were religiously motivated."



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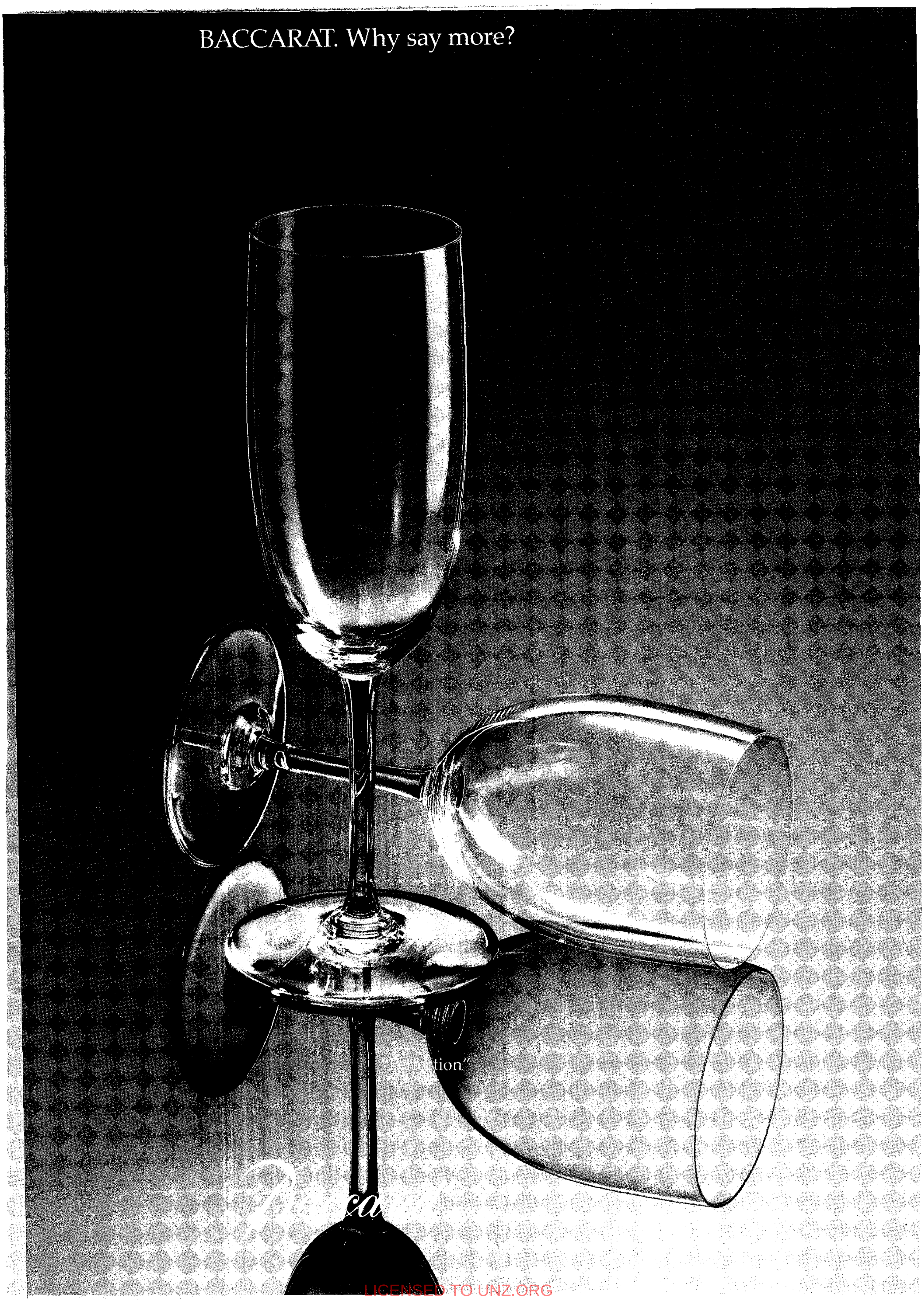
and I sat down and talked over a buyout arrangement, which would give each partner first chance to buy out the other for an agreed-upon sum of money. We discussed the amount, and it all drifted off and we never put anything on paper. Then John Kadesch, a bartender and my day manager, and Timothy Duffy, who had worked for me and was a bartender at the Buffalo Roadhouse, told me that McGruddy was talking about selling them his share of the business. McGruddy wasn't satisfied with the price we had discussed, and they were willing to pay him more. I suggested to Kadesch and Duffy that I was shocked by the news. I told McGruddy that I was disappointed in him. I stared at the wall for a while. I saw a couple of lawyers who didn't have any ideas; then someone put me onto a restaurant lawyer that Elaine Kaufman had used. Kadesch and Duffy gave McGruddy a thousand dollars down, and he took off. They started behaving like partners—ordering drinks on the house, and such. I told them they had absolutely no say in anything, because they were not on the board of directors and couldn't be unless they were voted on by me. There was a Mexican standoff, which I watched with a certain relish. They sued me in State Supreme Court. The case became bogged down in technicalities, and the stock reverted to McGruddy. He came in for lunch, and I told *him* he no longer had any say in the business. He sued me in District Court, and we settled out of court, and I bought his stock. My landlady had put the building Bradley's is in on the market, and other wolves were gathering. With my sister's help, I bought the building, and now we're as safe as a church."

Bradley says goodbye to his day cook, to his waitresses, and to Tommy Derecas, his manager. He walks to his apartment, where he lives with his wife, Wendy, and their son, Jed. The apartment is on the south side of Sheridan Square. Once or twice a block, he greets someone he knows. On the way, he talks about his new sobriety. "I started drinking heavily in California after the Second World War. I was depressed. I read Proust for a week or two instead of looking for work, which I hate to do. Drinking can get to be a debilitating hobby. It can get to be a full-time job, which is what it was by the time I finally quit. I was drinking around the clock. I'd hang out at Bradley's all night with the piano players, and I'd sleep off and on all day. I thought I was having the time of my life, but I wasn't going anywhere. I was on the roller coaster, and I was bored with it. I knew I was bored, but couldn't seem to get off. I was never one of those drinkers who carom off the wall. I'd be smashed and no one would know it. I had also gotten enormous. I had outgrown Brooks Brothers and had to buy my clothes at the baby-elephant shop. My son Jed, who's six, told a schoolmate, 'My father is older than your father, and he's as big as a refrigerator.' In November of 1981, I went to St. Mary's Rehabilitation Center, in Minneapolis. They search your luggage for pills or whatever, and put you on Librium the first few days. You are assigned to a group, which meets twice a day, and it's no holds barred. You also have three lectures a day, and you have to write a paper on why you are there, what kind of person you are. Most people write pretty bland things. I tried to be as tough as I could on myself, but it wasn't easy. The next thing was Family Week. A member of your family visits, and there is a brutal confrontation in which you give your version of your drinking and the family member gives his. There were some pretty red faces. I got back here just before Christmas. It's a very gradual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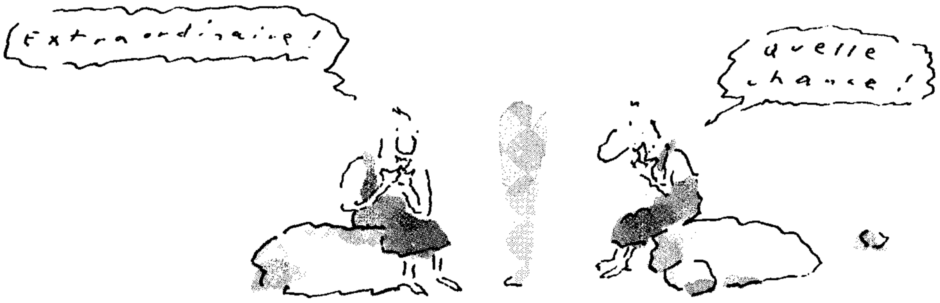
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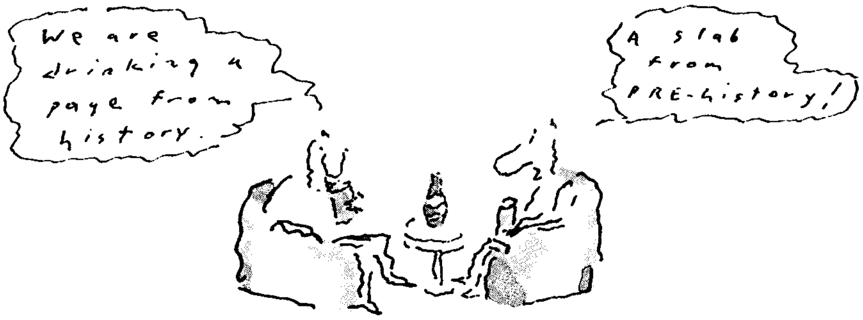
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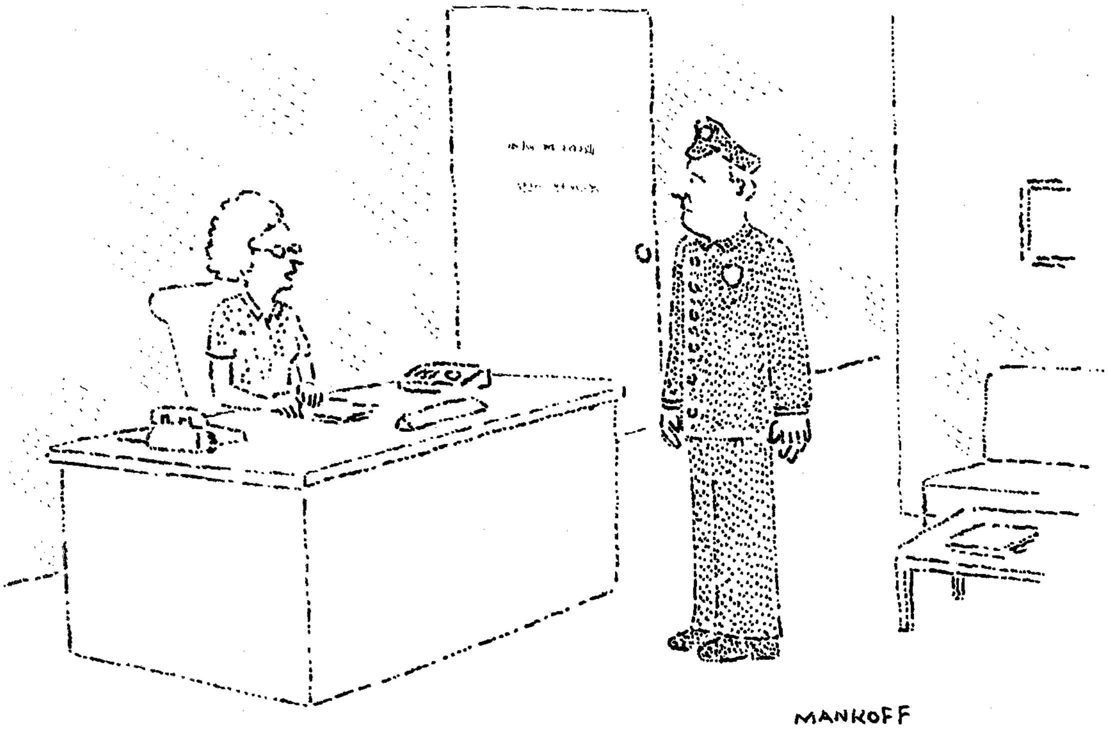
thing. They told me I wouldn't be completely right for five years. I'm still not doing too well at filling up my life. I may go to Bradley's once or twice a day, but the Greek, as Tommy Derecas calls himself, is a workaholic. I leased a Saab Turbo, and I'll run down to the Bowery to buy some bar stools, or somewhere else to pick up candleholders. Nice days, I drive up to the Palisades to hit golf balls. Every Monday evening, I go to my FACT meeting. That's the Family Alcoholism Consultants Team. It's a structured professional therapy group, and we talk about the past week and what might come.”



“I've given him your message. If you'll just take a seat, he'll be out in a moment with his hands up.”

Bradley lives in a loft about the same size as Bradley's. At its east end are a bedroom, a bathroom, and a walk-in closet that serves as a dressing room. The main room, which is two stories high and has a balcony on one side, starts with a galley kitchen and dining area, moves past the front door and an upright piano (once at Bradley's), encloses a living area that includes a couple of desks (one is Jed's), an Eames chair that belonged to the late alto saxophonist Paul Desmond (Desmond bequeathed his concert grand to Bradley's, and there it sits, a beautiful whale, between the bar and the dining room), a television set, and some sofas and chairs, and ends at Roy Kral's electric piano and the door to Jed's room, which looks like F. A. O. Schwarz. The loft has a concrete floor, part of it painted beige and part of it covered with a beige carpet. The walls are off-white. The room is lined with windows, and flights of pigeons comb past them into the low sky. Bradley likes nothing better than strolling from his bedroom to the electric piano and back, a round trip he estimates at a hundred and eighty feet. “I love this apartment, and I love New York City,” he said. “I can look up Seventh Avenue from my windows. I can look out into Christopher Park. I can look down West Fourth Street and Grove Street and Christopher Street. One Thanksgiving evening, Wendy called me to the window, and the traffic was backed way up Seventh Avenue—people trying to get to the Holland Tunnel, or, as Wendy aptly put it, ‘Underneath the river and through the ghetto to Grandmother's house we go.’ I can look out and everybody is carrying on busy as hell, and I can hear that murmur, that undercurrent, that goes on all the time in New York. New York is *power*, yet at the center of that power is a certain amount of calm. When I step outside, I love to see the red lights turn green, especially in the rain. And when Con Edison is digging, and they put up all those lights, it knocks me out. You can do what you want in New York. You can start a business and people will let you live. In a small town, if they don't like you they'll figure a way to keep you out. In New York, you take people one by one. You learn what the city is when you come back after a vacation. It's a shock. You have to tighten your reflexes, tighten your act. You have to regalvanize yourself into the city's tempo. You've got to rally, as one of my bartenders used to say.”

Bradley sits down abruptly at the upright piano by the door and goes into Thelonious Monk's “Crepuscule with Nellie,” and follows it with Monk's “Ruby, My Dear.” He has been playing the piano since he was a teen-ager, and he is a good modern chordal pianist. He has had countless impromptu early-morning lessons from the likes of Jimmy Rowles and Cedar Walton. While he plays, he shouts, “I guess I'm glad I'm not an itinerant piano player, but it sure would be a fine way to travel to Japan and Europe and Australia!” He goes into “Shall We Dance?” and sings it in a pleasant light baritone. Before he finishes, the telephone rings, and it's his sister Nancy, calling from California. He talks four or five minutes, hangs up, and pours himself a glass of iced tea.

“I was born four years after Nancy, on September 9, 1925, in Chicago, which I left almost immediately, and didn't get back to until last December, when I was on my way home from St. Mary's Rehab. My mother was Gretchen Dau, and she was from Galveston, Texas. She was born in 1890, and had three younger sisters and a younger brother. Their father, Fred Dau, was a clipper-ship captain from Hamburg. He was a good old guy who lived to be eighty-eight. We called him Opa, and Grandma Oma. My mother was a charming chick. She had blue eyes and blond hair, and tended to

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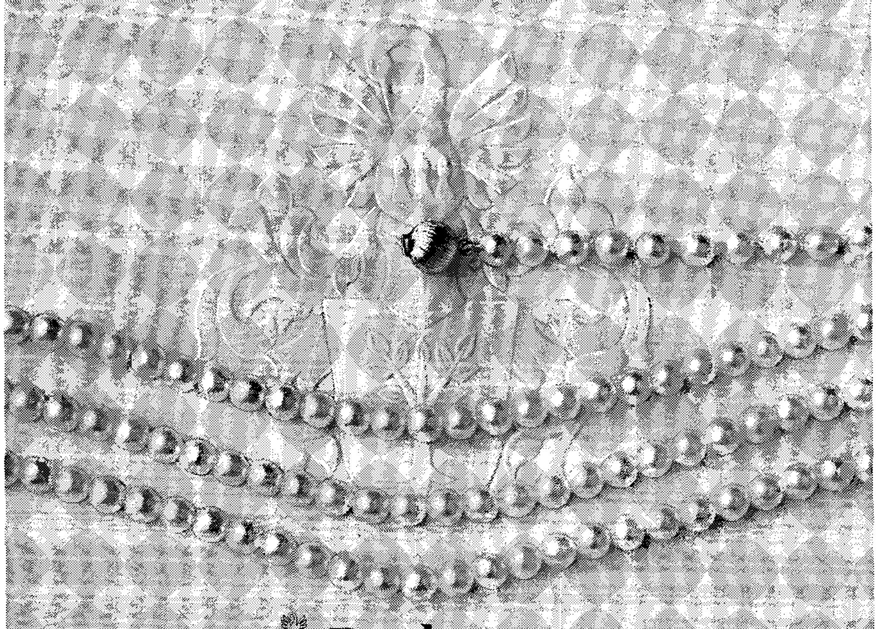

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be a little overweight. She didn't drink and she didn't smoke, and she had a good sense of humor. She had a very strong sense of justice, and the vocabulary to go with it. She was never obscene, but there were always a lot of 'bastards' and 'sons of bitches' flying around. She liked men, and men liked her, because she could talk about anything. She married my father, Charles Bradley Cunningham, in 1919, and they were divorced when I was still a little kid. He was from Buffalo, and was a pilot in the First World War. He never got overseas. He was in the insurance business, but he had a tendency to become involved in things like selling subterranean real estate in Florida. I think Gretchen divested herself of him when he got the notion of taking arms down to Central America in a yacht he had bought and bringing back rum, it being Prohibition time. Anyway, there was a shipwreck that threw everything into a different motion. The last time I saw him, I was six or seven. We lived in Altadena, California—2756 Highland Avenue—and my father had a Studebaker convertible with about thirty-eight cylinders. It was tan, with green pinstripes, and it made this huge *vroom vroom vroom* when he stepped on the gas. One day, he took me to the Annandale Golf Club, and we had a terrific time. At the end of the afternoon, he told me he was leaving us. That broke me up so much that I wasn't able to talk about it without weeping until six months ago. He wrote me a couple of times during the war, telling me to be tough, and he died not long after. Many years later, I asked my Aunt Helen Pritchard—one of my mother's sisters—what he was like, and she surprised me. Here was this seventy-five-year-old lady with concrete-gray hair, and she said, 'I was the first to go out with him, and through me he met Gretchen, and that bitch—he never had eyes for anyone else.' She died the winter before last, in her eighties, in Killeen, Texas.

"When I was two and a half or three and Nancy was seven, we were put in the Bon Avon School, in San Antonio, Texas. After a year or so, we joined Gretchen in New York. She was always in government or politics. At the time, she was a friend of John Raskob, who was chairman of the Democratic National Committee. Later, she was in charge of the women's part of the D.N.C., and she was a director of the League of Women Voters for four or five years. She

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was also a member of the woman-suffrage movement. But I don't think she ever had the power she felt she deserved. We lived at the Ritz-Carlton, at Madison Avenue and Forty-sixth Street. I remember shrimp cocktail served in blue cut glass, and throwing snowballs down on the people on Madison Avenue, and riding a tricycle up and down the corridors. I remember being taken to Central Park by a wonderful Irish cat named Alan. He was the chauffeur of a friend of my mother's. I also remember going with a Mrs. Finnegan, whom we hated. We called her Mrs. Vinegar. I went to a nursery school, and the apartment was always full of people like Hiram Johnson, a senator from California, and Claude Bowers, who was the Ambassador to Spain, and William McAdoo, another senator from California, and Rabbi Stephen Wise, an early Zionist. Then we moved to Altadena. We were in the foothills of the San Gabriel Mountains, just below the Mt. Wilson Observatory, which had the world's largest telescope before the Mt. Palomar mirror was ground. Roosevelt came to power, and Gretchen went to Washington to work in the N.R.A. Aunt Helen came, with her daughter Jacquelyn, to take care of Nancy and me. I was put in the Trailfinder's School, which was run by an early conservationist named Harry James. It was strictly male, and everyone wore a uniform—corduroy shorts or knickers. I was terribly unhappy. You know—deserted again. There was a Hopi chief's son in the school, and one day when I was feeling low he said, 'Hey, Brad, you feel bad?' Sympathy, I thought, but all he wanted was to divert my attention while somebody else held a magnifying glass up to my neck in the sunlight. One summer, I went to Yosemite with some wilderness-prone people from across the street named Adams. Another summer, I visited Daus in Galveston and Houston. Oma would say, 'If you don't behave, I won't give you the *kruste*,' which means 'bread crust.' It was the only hangover from the German days I ever saw in my family. My mother materialized for a summer and rented the Sunset Hotel in Laguna Beach with two or three other people. Laguna was beautiful then. It was like the Mediterranean—nothing but white stucco walls and red tile roofs. I went to a public school in Pasadena, and on to Eliot Junior High, in Altadena, where I began to get in trou-

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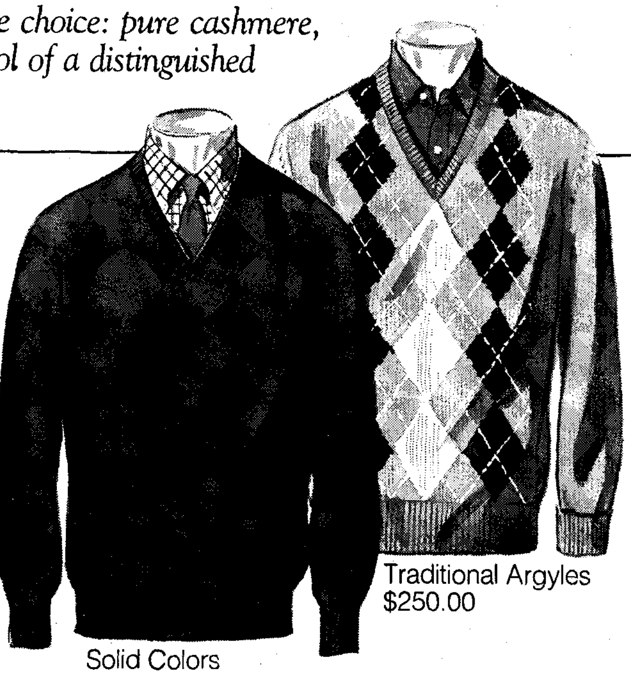

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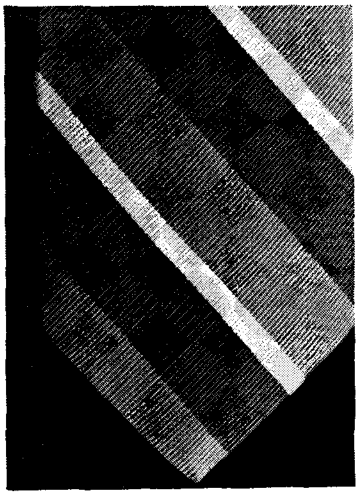

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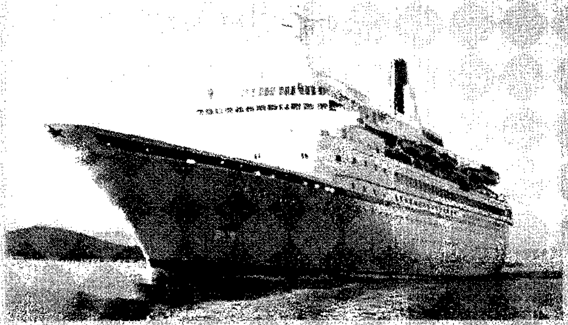

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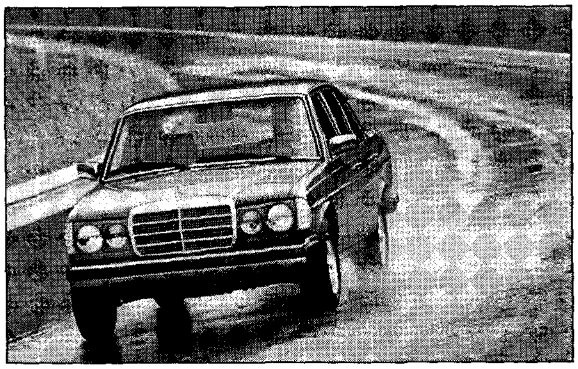

Mercedes-Benz engineers have extracted more sheer power from the 300 D Turbodiesel Sedan's five-cylinder engine than any other engineers have yet extracted from any other passenger car diesel, huge domestic V-8's included.

Their secret was to couple an advanced engine design with a power-boosting turbocharger. Even other turbocharged diesels are left flatfooted; this spacious, solid, 3585-lb. five-passenger Mercedes-Benz sedan ranks as the best performer of any diesel automobile sold in America.

The 300 D Turbodiesel is meanwhile perhaps the most *conscientious* performance automobile in America, because it is so inherently efficient that EPA figures show $\boxed{27}$ mpg city estimated and 33 highway.* An almost uncanny *balance* of power and frugality is thus struck.

So exotic is engine technology that the interior of each moving piston is constantly cooled by precisely timed jets of oil. But deep down this is still a diesel: a rugged, reliability-minded diesel that will never require a conventional tune-up.

Do not disturb

Over-the-road performance is superb. This means not only that the 300 D can swallow up roller-coaster back-country roads, and nip rather than lurch around corners–but that its occupants usually feel so *undisturbed* in the process.

Generations of Mercedes-Benz engineers have toiled since 1931 to develop, refine, and refine again the principle of four-wheel independent suspension that is primarily responsible.

These engineers have endowed he car with an exquisitely responive steering mechanism, guided by 4 recirculating ball bearings. It feels liquid-smooth and seemingly frictionless. The shift lever is mounted down on the transmission tunnel–but look again. The quadrant reads P-R-N-D-S-L. It is no mere automatic but a four-speed automatic, and is designed to serve equally well when shifted by hand. America's most advanced automotive braking system is four-wheel *disc* braking. An 11-inch disc brake is fitted to every wheel of every 300 D Turbodiesel Sedan.

Mercedes-Benz engineers care little if the outside world knows that total swept brake area is a massive 456.5 square inches, or that the 300 D's front suspension geometry is devised to help minimize front-end "nose diving" in hard stops. Their main concern is that the driver is better served by these and myriad other technical flourishes.

Designed, not decorated

Even when fully padded and finished, the interior of the 300 D's welded steel body shell measures almost five feet in width–sufficient to easily accommodate three adults in the rear seating area, for example. Electronic cruise control, AM/FM stereo radio/cassette player, automatic climate control system and electric window lifts–whatever conventional luxury sedans furnish by way of real conveniences, so does this sedan.

Garishness, however, is absent. The instrument panel is no entertainment center twinkling with gadgetry but an exercise in ergonomics, meant to ease the driver's task by simplifying it.

The engineers continuously strive to make driver controls fewer and less awkward to use, and so reduce driving complexity. Item: the single steering-column lever that lets you perform nine different driving functions–without taking your hands off the wheel.

Seats are not designed to *look* luxurious but to so support your body that you *feel* relaxed, even after an all-day drive.

Interior wood trim is genuine wood from the Mercedes-Benz shops, handworked and fitted and finished. A small thing, but it epitomizes this car's unremitting honesty of character–as its 120 built-in safety features epitomize its seriousness of character.

The luxury of retained value

The 300 D Turbodiesel boasts a final and powerful distinction. As a Mercedes-Benz, it shares a name so coveted by American buyers today that after the first three years, the *entire Mercedes-Benz line*–not just a few isolated models–has been shown to retain an average of 84 percent of original value.

If retained value is a form of luxury, then perhaps the 300 D Turbodiesel *is*, after all, a luxury car.

*EPA estimate for comparison purposes. The mileage you get may vary with trip length, speed and weather. Actual highway mileage will probably be less.

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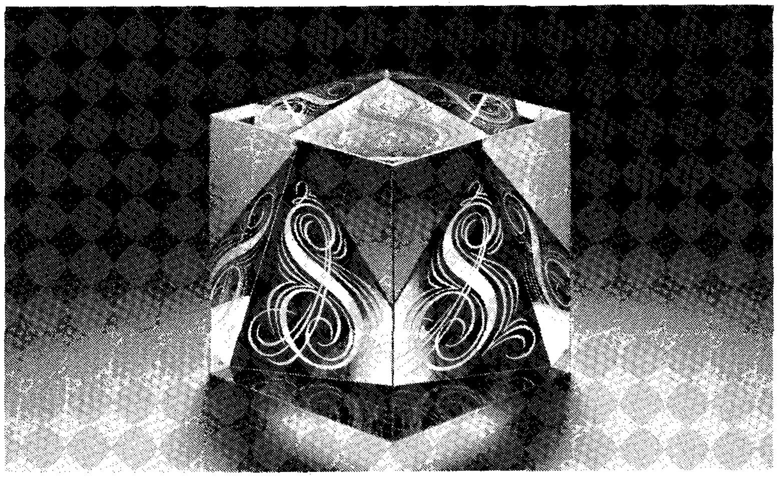
Engineered like no other car in the world

ble. I'd skip school and hitch to Santa Anita. They put me in a private school near Caltech, and I got in a fight and was asked to leave. I went to the Cathedral High School, a Catholic school, in Los Angeles, where I lasted two or three months. It was full of Mexican and Irish kids, and was the toughest school I was ever in. After that, I was put in the Bonita Vista High School, in Chula Vista, on the way to San Diego. I left there in the ninth grade—this would be around 1940—and joined my mother in Needham, Massachusetts. She had just remarried. My stepfather was from San Francisco, and his name was Frederick William Witt. He worked in the Treasury Department. They were married at the Ritz-Carlton in Boston. I went to a school in Wellesley, then to one in Providence. Then my folks moved to Washington, D.C., to a nice pad at Thirty-first and R, near Dumbarton Oaks, and I was asked to go along. I went to Western High, and didn't do too well at my studies. What happened was I went to bed one night five feet nine inches and woke up six feet two, and when the basketball coach said to me in September 'Cunningham, are you coming out for basketball?' I was puffing and told him 'No, I don't have the energy'—which was true. I just sat around and played Benny Goodman records and was clumsy. I was passing a sugar bowl when I was introduced to some senator and I stood up and dropped it and shook hands with him. I finished my preparatory-school career at Millard Prep, on Connecticut Avenue. It was a mill full of Army brats prepping for West Point. I took the West Point exam and did surprisingly well in English and history but not too well in math. So I went to Haverford College, and loved it. I played left tackle on the football team. By this time, it was 1943, and I was about to get drafted. Because I didn't want to get lost in the Army, I enlisted in the Marines, and by December of that year I was at Parris Island."

WENDY and Jed come in, home from school. They are vigorous and attractive. Wendy has long brown hair, sharp wide-set hazel eyes, and a good smile. Her shoulders are broad, and her waist is trim. She has a big, direct way of talking. Jed, as tall as an Indian club, is her spit and image. His hair is light, and he is wearing a Yankee jacket, a blue button-down shirt, a navy-blue-and-red



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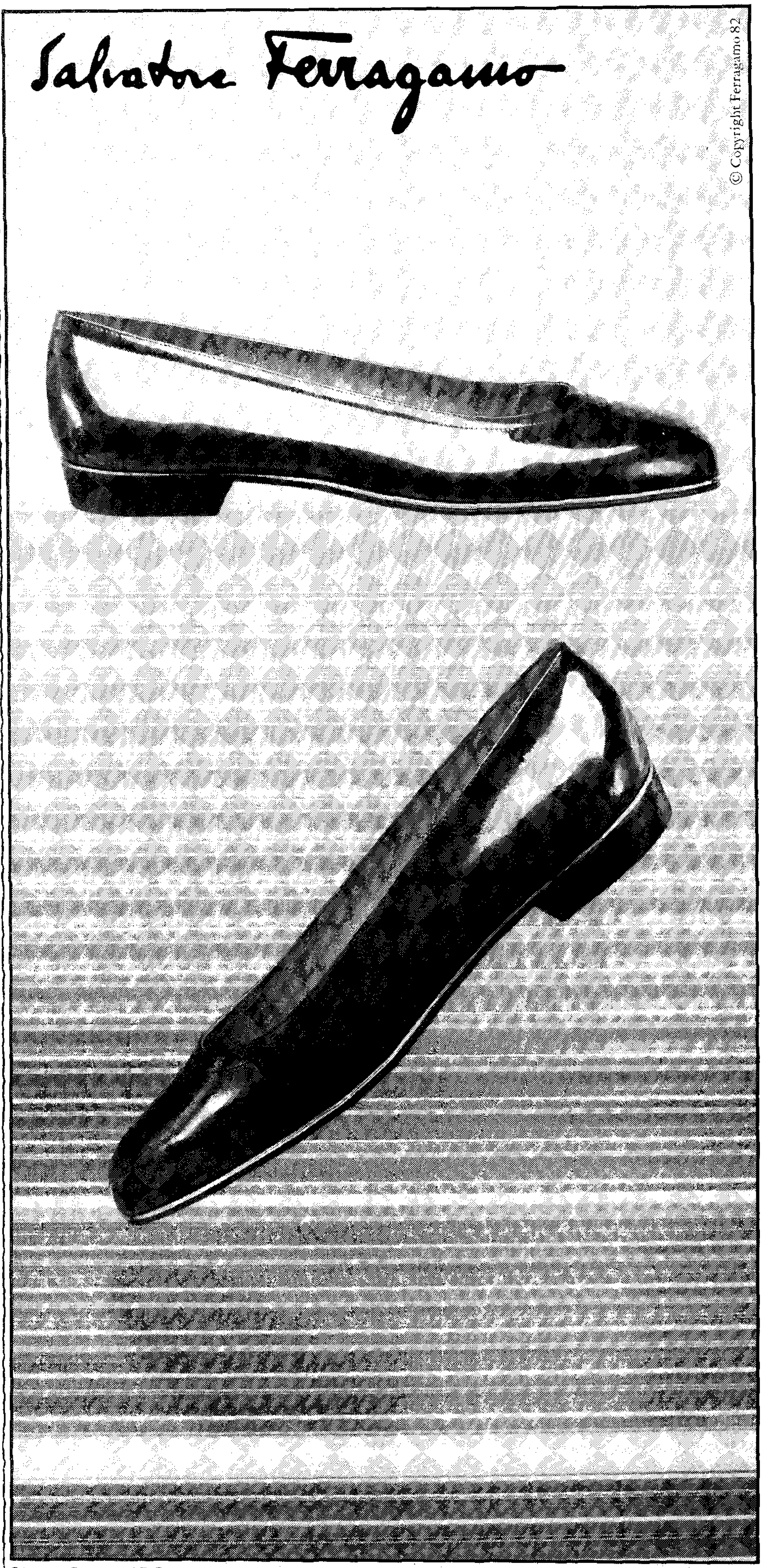
clip-on tie, and navy-blue corduroy pants. His eyes are as wide apart as Wendy's. Bradley nods at everyone and sits down at the electric piano and plays "Easy Living." Jed washes his hands and gets his Sonic Fazer from his room and zaps Bradley from behind a sofa. Bradley plays on. Wendy gives Jed a glass of milk and some Fig Newtons. Jed brandishes a wooden American flag he has made in woodworking class, and sits down. He takes a half-moon bite out of a Fig Newton and drinks his milk. Then he gets out his snow walker—an eighteen-inch-high replica of the towering war machines that walk across the opening sequences of "The Empire Strikes Back." He makes the snow walker go half the length of the room, and it moves, and even looks, like Bradley. Jed climbs the ladder that leads to the balcony in the living room, and rescues a ball that he kicked up there last night. Bradley announces that he is going out to buy some Coke and the *Village Voice.*

Wendy sits down at the kitchen table and lights a cigarette. "Bradley's a lovable bully," she says. "He's a manipulative man. He used to edit my grammar when we were arguing. He's got excessive charm when he wants something. He's witty. He'll flirt his way out of things. He's kind to people he respects, but he can be terribly critical of people—particularly women. He can't cope with certain things—death, for one. If someone he's fond of is ill and dying, he'll just shut it out. He'll cop out. We have respect for each other's intelligence. I'm not as well read as he is, and I never will be, but he learns as much from me as I learn from him. Bradley demands a good deal. There's a lot of cacophony and eighth notes and blaring colors when he's around. He's at the piano, he's on the telephone, he has both TV sets going. He travels with noise. I met him at Bradley's when I went to work there as a waitress, a month after the place opened. I'd just come off a bad short marriage. I come from Cochituate, about fifteen miles west of Boston, where I was born, in 1946. My parents live in Florida now, but they were hardworking folks. My father was a house painter, and my mother did secretarial work. I went to a two-year college in Illinois. Then I came to New York. I was Wendy the waitress at Bradley's for three years. Then Bradley fired me, and I moved in with him. We were married in December of 1975, at St. Luke in the



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Fields. Jackie Cain and Roy Kral were the witnesses, and Alec Wilder gave me away. Jed was born in 1976. This place was a mess when I moved in. I've scraped and sanded and repainted. I've built a big storage space behind Jed's room which Bradley calls 'the garage.' It's what I do best. Things have improved considerably since Bradley quit drinking. I used to feel like a single woman with a kid and a tenant who paid a very good rent. I finally gave him an ultimatum—quit or Jed and I leave—and that is what got him off to St. Mary's Rehab."

Bradley returns, riffles through the *Voice*, and says that he is going to run up to the 9 W Golf Range and hit a couple of buckets of balls. He gets his Saab out of a garage a block or two away and drives up Twelfth Avenue to the Fifties, where he turns onto the West Side Highway. He is a careful, vociferous driver, and he opens up on the drive. The Marines are still on his mind. "After boot camp, I went to combat-intelligence school at Camp Lejeune. Then it was through the Panama Canal to Hawaii to the Eighth Marines on Tinian Island. We landed the day after the invasion. I was a scout who shuttled back and forth between headquarters and front-line observation posts. Just before the island was secured, I watched the Japanese soldiers throw themselves off the cliffs into the sea. I was asked if I wanted to go to Japanese-language school, and I said yes. It was eight hours a day for ten weeks on Saipan. We learned conversational Japanese and also some *kanji*, which is ideographic writing, and *katakana*, which is phonetic spelling. In April of 1945, we landed on Okinawa; then we were assigned to the floating reserves on a troop ship in the South China Sea. One day, the Red Cross or somebody dumped a whole bunch of books down on us jarheads from a higher deck, and the only one left after the scramble was a fat volume by Mr. Leo Tolstoy named 'War and Peace,' which is how I got acquainted with him. We went back to Okinawa after the Battle of Naha, and my job was to talk Japanese soldiers out of the bunkers and caves they were holed up in and interrogate them. A lot of them were simply shot by the Americans, but when we did get to question a prisoner he'd generally tell us everything. Captured G.I.s were only supposed to give their name, rank, and serial number, but the Japanese had never been told anything similar, because they were never expected

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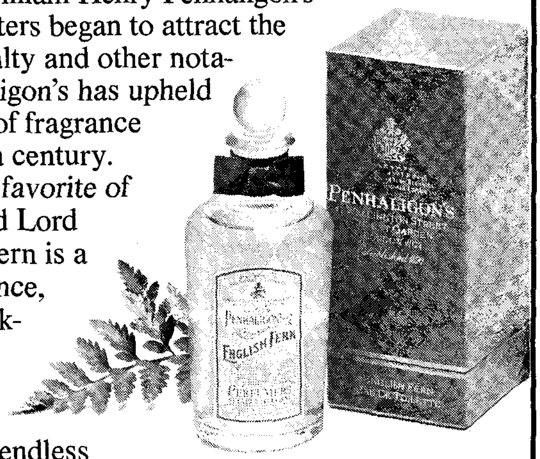
Two luxurious sizes of Eau de Toilette are available for the grooming necessities of today's gentleman.



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Now the first name in food processors is the last word in pasta.

The Cuisinart® Pasta Attachment lets you produce perfect, fresh, homemade pasta. Quickly. And effortlessly.

AT LAST, A WAY TO MAKE PASTA WORTHY OF THE NAME CUISINARTS.

Because it takes advantage of the powerful and efficient Cuisinart motor, the Cuisinart Pasta Attachment is able to produce large batches of pasta faster than most pasta machines. It kneads the dough so thoroughly, the dough actually gets warm—giving you a much higher quality final product. And because you make the pasta mixture in the bowl of the Cuisinart food processor, it's easy to be creative. For example, add some Parmesan or Romano cheese and you get an appetizing yellow color along with the delightful taste of the cheese. Or add some chopped spinach, a touch of sage—even grind up some hot chili peppers.

6 PASTA SHAPES. AND FASTER THAN MOST PASTA MACHINES.

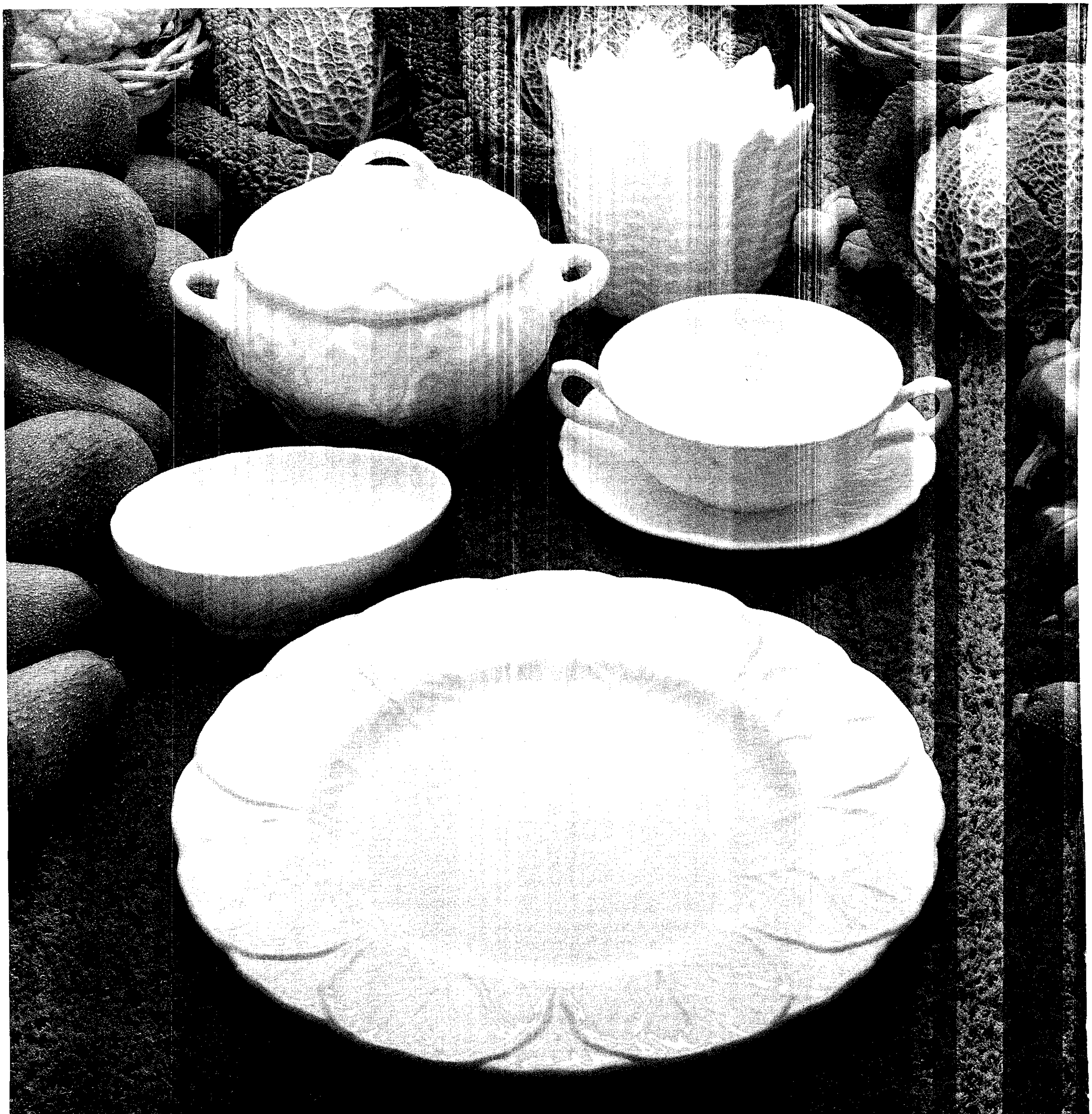
Our Pasta Attachment kit includes 6 interchangeable discs to produce all of these pasta favorites: lasagne, fettuccine, spaghetti, linguine, macaroni, spaghettini. Any one of them can be accomplished with perfect results in less than the time recommended for most pasta machines.

The Cuisinart Pasta Attachment fits any of the models in our DLC-7 series of food processors.

FOR MORE INFORMATION.

For a selection of creative pasta recipes, as well as more information on our food processors, our cookware, and our magazine, "The Pleasures of Cooking," write: Cuisinarts, Inc., 411 (N) W. Putnam Ave., Greenwich, CT 06830.

Cuisinart®
Pasta Attachment



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Countryware is fresh and versatile.
Above all, the quality is magnificent.

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to be captured. My great contribution to the war was questioning an officer and finding out about a huge cave filled with snipers—several hundred of them. Finding out about that cave saved a lot of lives, and I'm proud of that. When Okinawa was secured, we went back to Saipan to get ready for the landing on Japan itself. Then they dropped the bomb, and the war ended. We landed at Nagasaki, and it was just as devastating as everybody said. We eventually moved to Misumi, thirty-five miles away, and they sent all the confiscated weapons to us and we dumped them offshore in the Ryukyu Trench, which is about twenty thousand feet deep. I stayed in Japan until February of 1946, when I had enough points to come home. I loved Japan and I liked the Japanese. By the time I left, I could speak fairly well, but I still had trouble understanding when I was spoken to. So what I would do was construct these elaborate and complicated sentences that would require only a yes-or-no answer."

Bradley sweeps across the George Washington Bridge and onto the Palisades Interstate Parkway. The Hudson is afternoon gray, and the sun hits Bradley right in the eyes until he turns onto the parkway, where it dodges through the trees on his left. "I went back to Haverford, but after a term or two I got antsy and asked for a leave of absence. My mother was living in Georgetown, and she told me I couldn't sit around there. I went to Coral Gables, Florida, where I had a cousin. I drove a truck in Miami, and met a girl there, and we got married—in the summer of 1947. She was a student at the University of Miami. Then I enrolled in the School of Foreign Service at Georgetown University, and we moved to Washington. She worked as a secretary, and I worked part time in the House mailroom—and we split. I did a year or so at the foreign-service school, and took off for California, where my sister Nancy was. I lived in Laguna Beach, which was as beautiful as ever. I'd work like a son of a bitch as a carpenter all day at three dollars an hour and drink all night. One night, this guy who worked at the Sandpiper, where I hung out, said, 'Why don't you work behind the stick?'—which means tend bar. 'You can go to the beach by day and make money by night.' So I did. I moved over to a really neat place called Christian's Hut. It had Hawaiian music and Poly-

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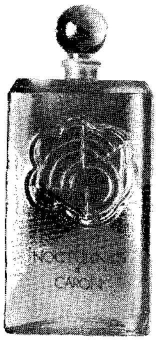

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nesian décor, and the help wore Hawaiian shirts. It was part of a chain that had been started by a brother of the cameraman on 'Mutiny on the Bounty.' The Pitcairn Island sequences had been filmed on Catalina Island, and when the picture was finished this brother bought the set and opened the first Christian's Hut in it. A girl named Jean Packard came in to play piano. She was a good pianist with a great sense of inner harmonies. We got married in Tijuana after a bullfight. Then I decided to come to New York. It was 1956. I had worked behind the stick at the Brussels and the White House Café in Laguna Beach. I was a good bartender, but I was a little ashamed of the work. So I landed a job at Grey Advertising producing radio commercials, but by the time I knew what I was doing they had fired me. I ended up behind the stick at Nob Hill, at Forty-fourth and Second. Then I went to Stefan's, on Christopher Street. George Darcy owned Nob Hill, and he gave me a reference that went like this: 'He has a good appearance, he's a good bartender, it's beneath him to steal, and he's never lost a fight.' I have a reputation for being tough, but I'm not a tough guy. I don't have a taste for it. Situations come up that simply have to be taken care of, like the wrong people coming into Bradley's when you've asked them to stay away. Ray Santini bought Chumley's, on Barrow Street. It had been an old newspaperman's hangout. I worked behind the stick, and I managed the place. It was a beautiful little dugout bar. I was there a couple of years. After the No Name Bar and the Corner Bistro, I opened the 55. Jean and I split while I was at the No Name. But what does it all matter? Every once in a while, Wendy's parents ask her, 'When is Bradley going to get a job?' "

—Whitney Balliett

◆

Following a special census count taken in Lander last week, the city is still offering residents one more chance to be counted.

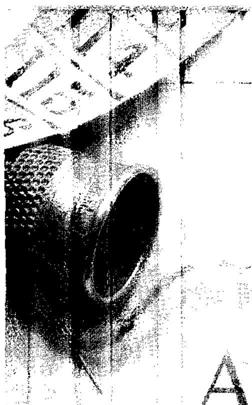
A special form in Monday's and today's Journal has been provided by the city for anyone who thinks they were not counted in the most recent census.

The special census was taken because the Census Bureau mistakenly counted 1,259 people in the city dump. That made the official population go from 9,126 to 7,867.

As a result of the lower count, the city lost $500,000 in anticipated revenues.

—*Wyoming State Journal.*

Well, at least it tried.



DOBSON'S TWEED.

ABSOLUTELY, POSITIVELY NOT AVAILABLE IN CAMEL.

HAMISH DOBSON, as you may recall, manages one of Scotland's finest woolen mills. He's a quintessential Scotsman—one of only eleven people who can wear a deerstalker hat and look perfectly natural in it—and aggressively xenophobic to boot.

For years, he resisted incorporating the fine wools from New Zealand into his fabrics—until one ingenious sheep rancher was able to prove his pedigree to Dobson's satisfaction. (It seems that some 100 years ago, the rancher's ancestors not only emigrated from the Isle of Skye, but they brought with them their own small flock of genuine Scottish sheep.)

One day, Hamish was working with the new shetland wools he had imported (and pronounced worthy of a true Scottish tweed) when his father happened by to drop a hint or two about his forthcoming birthday.

"Something in a jacket, I fancy. Size 40 Regular." (The Scots are justly renowned more for economy than subtlety in their speech.)

"In camel's hair," he added foolishly.

"In *what*??" roared Hamish.

"The camel," he snapped, "is a disgusting, ugly, ill-tempered brute that *spits*. It is not indigenous to Scotland. And I doubt anyone could make a decent tweed of it," he snorted. Then puffed on his pipe thoughtfully.

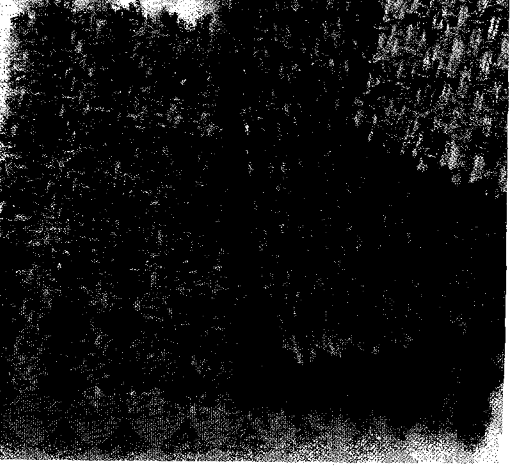
"I shall make you a proper tweed jacket," Hamish announced. "Soft as a shetland sweater, in several exquisitely blended shades of beige. On one condition."

"What might that be?"

"You must never, ever, refer to that particular color as *camel*."

Dobson's Tweed: a blend of exceptionally fine shetland wools from Scotland and New Zealand, rugged to the eye but very kind to the touch. Available in many rich, earthy shades.

But not in camel.



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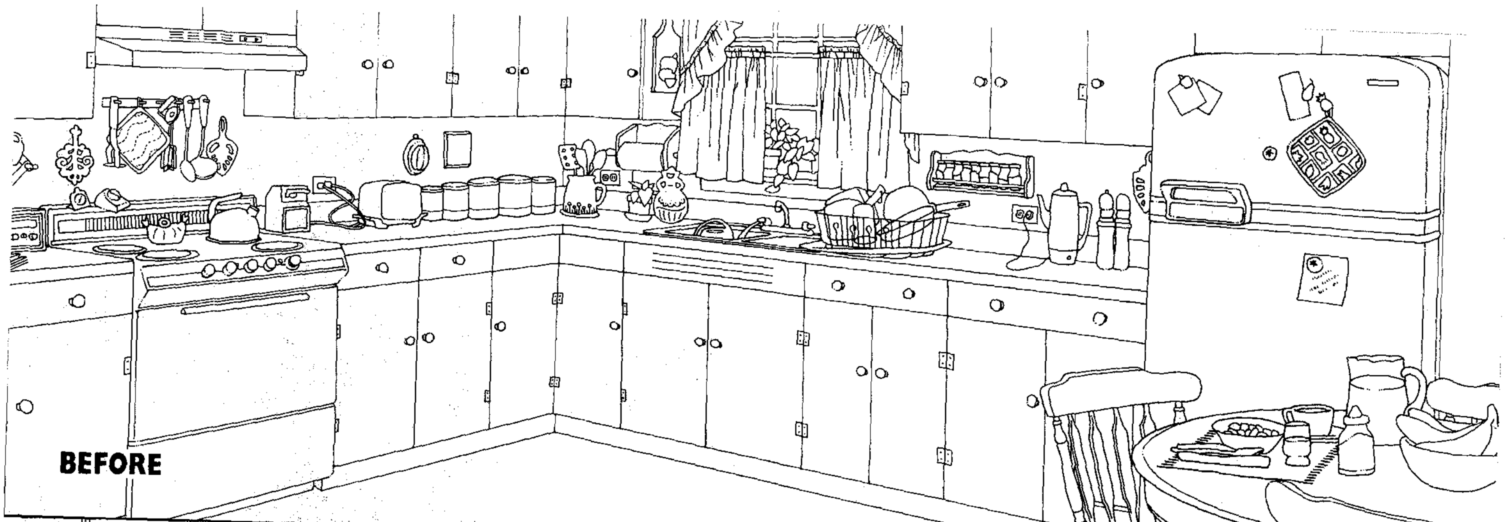

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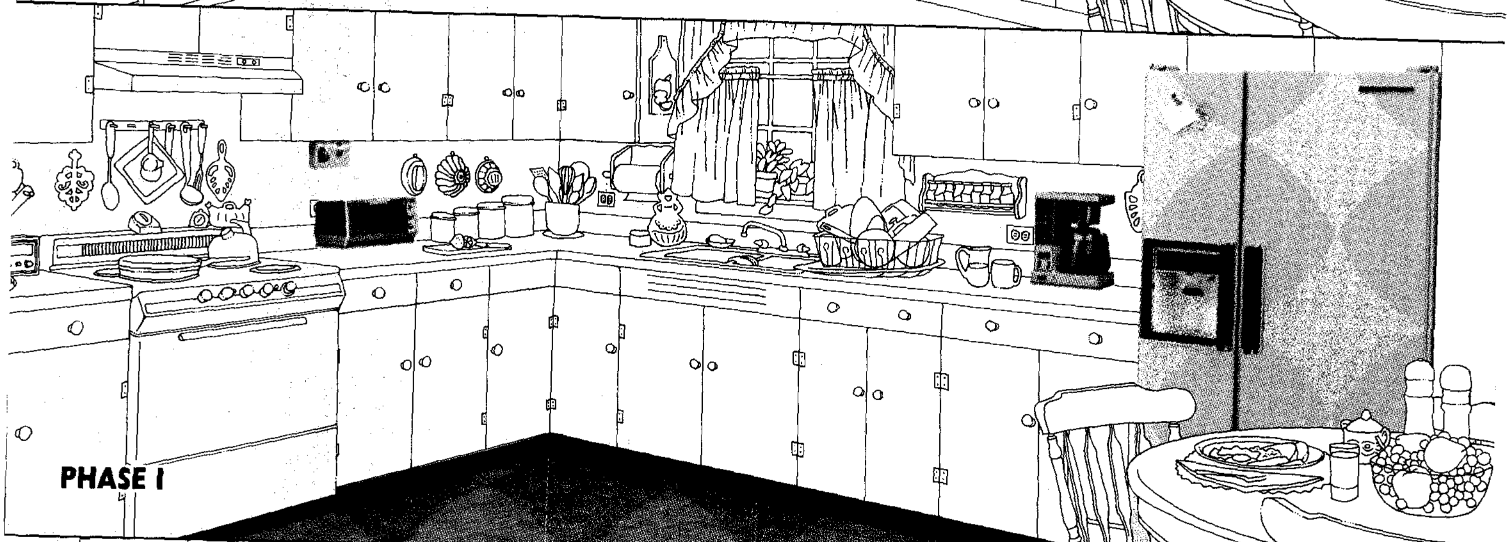
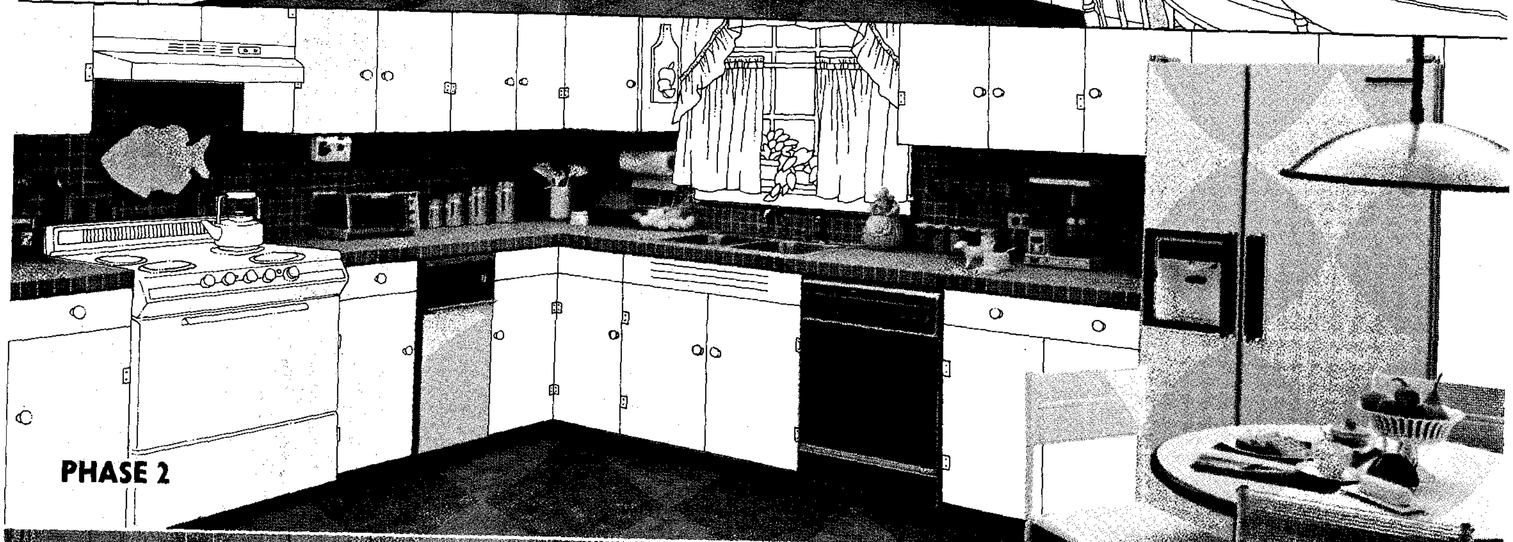


PHASE 1



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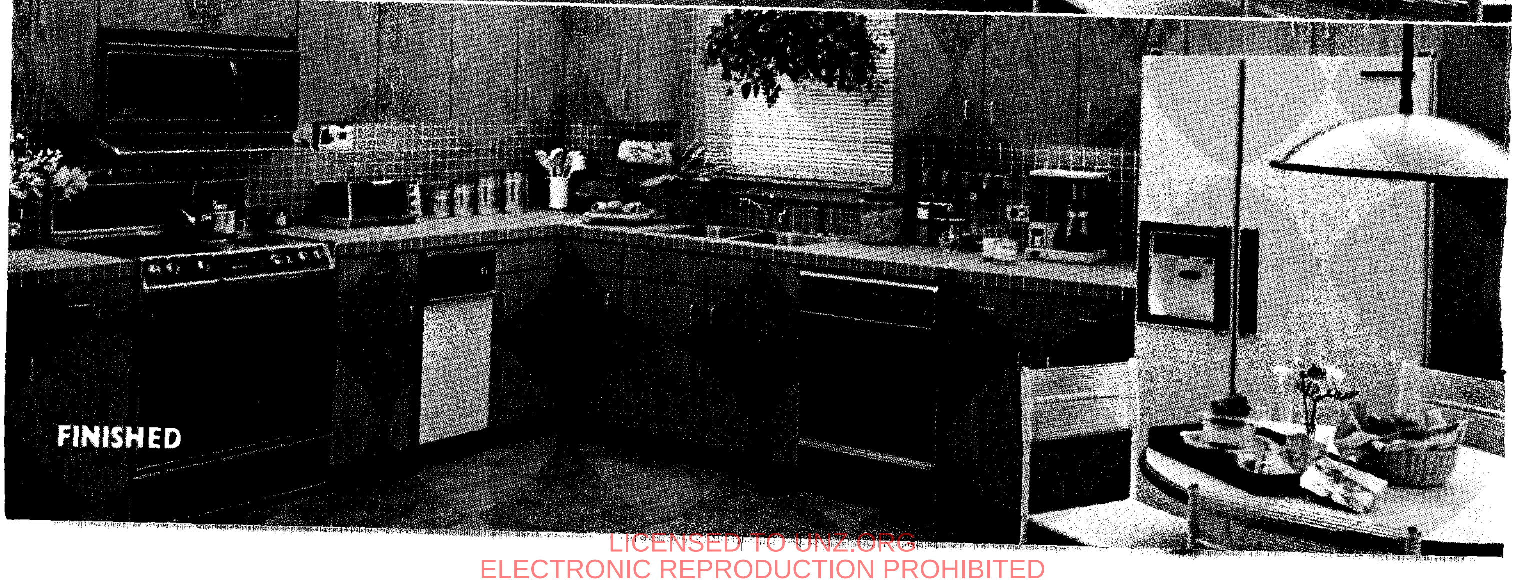


FINISHED

GE KNOWS WHAT A NEW KITCHEN COSTS. THAT'S WHY WE SAY THINK BIG, BUT START SMALL.

Every family would love to have a beautiful new kitchen with all the trimmings. But prices being what they are today, not everyone can afford the expense of doing it all at once.

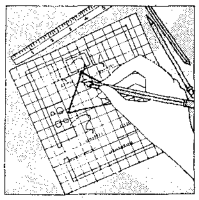
General Electric suggests you take an alternate route.

We call it phasing: a simple idea that helps you create your kitchen over time rather than overnight. So you can spread out the cost. And start enjoying your new kitchen immediately.

The photographs on the left help explain what we mean.

DESIGN A MASTER PLAN. THEN PHASE IT IN.

First, GE suggests you make a list of your needs. Consider everything: present and future needs, your life-style, and your finances.



The beginning.

Now you're ready to proceed.

PHASE I: ESTABLISH YOUR PRIORITIES.

Start with what you need most; maybe it's a refrigerator. If you have a sizable family, you may need an extra-large freezer and the convenience of an ice dispenser built right in the door.

For snacks, you can't beat the convenience of a GE Toast-R-Oven™ broiler.

And to save space, the GE Spacemaker can opener fits under the cabinets. So it's out of the way but never out of reach.

You might start your new kitchen differently. It all depends on your most immediate need.

PHASE 2: THE PLAN BEGINS TO TAKE SHAPE.

Next, you may opt for a new dishwasher. And a GE Trash Compactor. For neatness and convenience, it's hard to resist.

At this stage, it may also make sense to remove the cabinets and install new counter tops.

By the way, don't be concerned with everything matching over time, because all GE appliances—big and small—are designed to match in style and color from year to year.

PHASE 3: THE BEAUTIFUL FINISH.

Now you're ready to make your kitchen a cook's dream.

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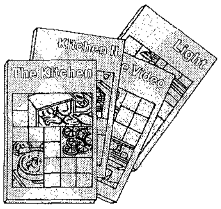
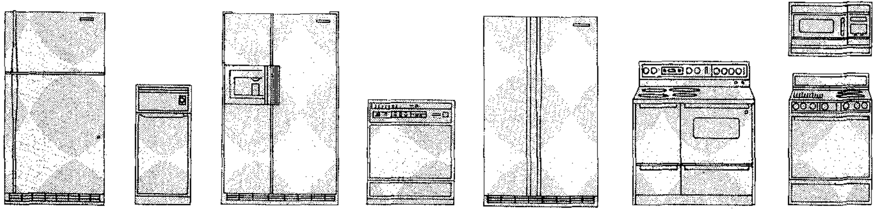


Just send your name, address and zip code to: GE Home Library, Box 4519, Monticello, MN 55365. Include 50¢ for postage and handling.



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ANNALS OF LAW

RESTITUTION

ON a midweek afternoon in February of 1964, a Passamaquoddy Indian named George Stevens heard a chain saw start up in the woods next to his house, which sits on a narrow strip of land between Lewey's Lake and U.S. Route 1, in Indian Township, a Passamaquoddy reservation in the eastern part of Maine, a few miles from the New Brunswick border. Since Stevens knew that all Indian lands in the township were owned communally by the three hundred or so Passamaquoddies who lived there, and since he had not heard that any of them had been given permission by the Tribal Council to cut wood in the lot adjacent to his house, he decided to investigate. After walking several hundred feet along the shoreline of the frozen lake, he came within sight of some tourist cabins owned by a white man named William Plaisted, and encountered a fellow-Passamaquoddy wielding a chain saw, who explained that Plaisted had hired him to clear away the small growth on several acres of land that Plaisted had recently acquired next to the lake, so that he could put in a road and build some additional cabins.

An hour later, Stevens walked out to Route 1 and flagged down his younger brother, John, who was driving home from his job, at the Georgia-Pacific Corporation paper mill in nearby Woodland, and told him what was happening. For several minutes, the two brothers stood by the side of the road discussing the situation and trying to decide what to do about it. John Stevens, the tribal governor at Indian Township, had been attempting to rally his people around the issue of land encroachment since 1957, when his wife's great-aunt, Louise Sockabesin, showed him a copy of a treaty made in 1794 between the Commonwealth of Massachusetts and the Passamaquoddy Tribe, which she had been keeping in a shoebox, and which, among other things, reserved for the Indians title in perpetuity to twenty-three thousand acres in the township and to fifteen islands in the St. Croix River and two islands in Big Lake, west of the township. Since none of the islands remained in Indian hands and only seventeen thousand of the original twenty-three thousand acres of land was listed as still being under Passamaquoddy ownership, it seemed to John Stevens that the treaty provided proof of a real-estate swindle of huge proportions, substantiating a complaint that the Passamaquoddies had been making for generations. Try as he might over the next five years, however, he was unable to find a single lawyer in Maine who was willing to take on a land-claim case in behalf of the Indians. Finally, he got discouraged and gave up. As for his fellow-Passamaquoddies, none of them seemed to know exactly how their lands had been alienated. Nor had any of them ever dared to protest the loss publicly, because, having been wards of the State of Maine for nearly a hundred and fifty years, they had become dependent on state handouts. During that time, the state had treated them in a manner that was sovereign, to say the least. It had sold much of their land outright; it had sold timber and grass rights on the remaining tracts to companies like Georgia-Pacific; and it had grossly mismanaged the meagre tribal trust fund that had accrued from such transactions. By 1964, when the Stevens brothers held their conference on the shoulder of Route 1—the road had been built through the reservation without the permission of its residents and without a penny of recompense paid to them and, indeed, had been paid for with the proceeds of nine-hundred-and-ninety-nine-year leases, which the state had granted on a mile-wide strip on either side of the road for its entire six-mile length—the Passamaquoddies at Indian Township had reached what was perhaps the lowest point in their history. Almost seventy-five per cent of them were unemployed; a majority were on welfare; and many were suffering from alcoholism. As for their self-esteem, it was scarcely helped by the fact that most of their white neighbors looked upon them with scorn; indeed, as of 1964 no Passamaquoddy had ever been able to get a haircut in Princeton, the nearest town, just down the road from George Stevens' home.

The next night, John Stevens called a meeting of the Indian Township Tribal Council in the parish hall at Peter Dana Point, an isolated Passamaquoddy settlement at Big Lake, four miles west of Route 1. News of Plaisted's intentions had spread rapidly through the Indian community, and the parish hall was packed. There was considerable talk at the meeting about how Plaisted had come to own property in Indian Township to begin with. It was recalled that he had been able to buy the land from the Town of Princeton just after the Second World War, when the state approved a transaction in which the town claimed possession of the land as payment for having incurred the funeral expenses of an indigent white man whom the Passamaquoddies had allowed to live on their reservation out of charity. In any event, although the Indians had long since accepted Plaisted as a neighbor and a landowner, resentment over what they con-

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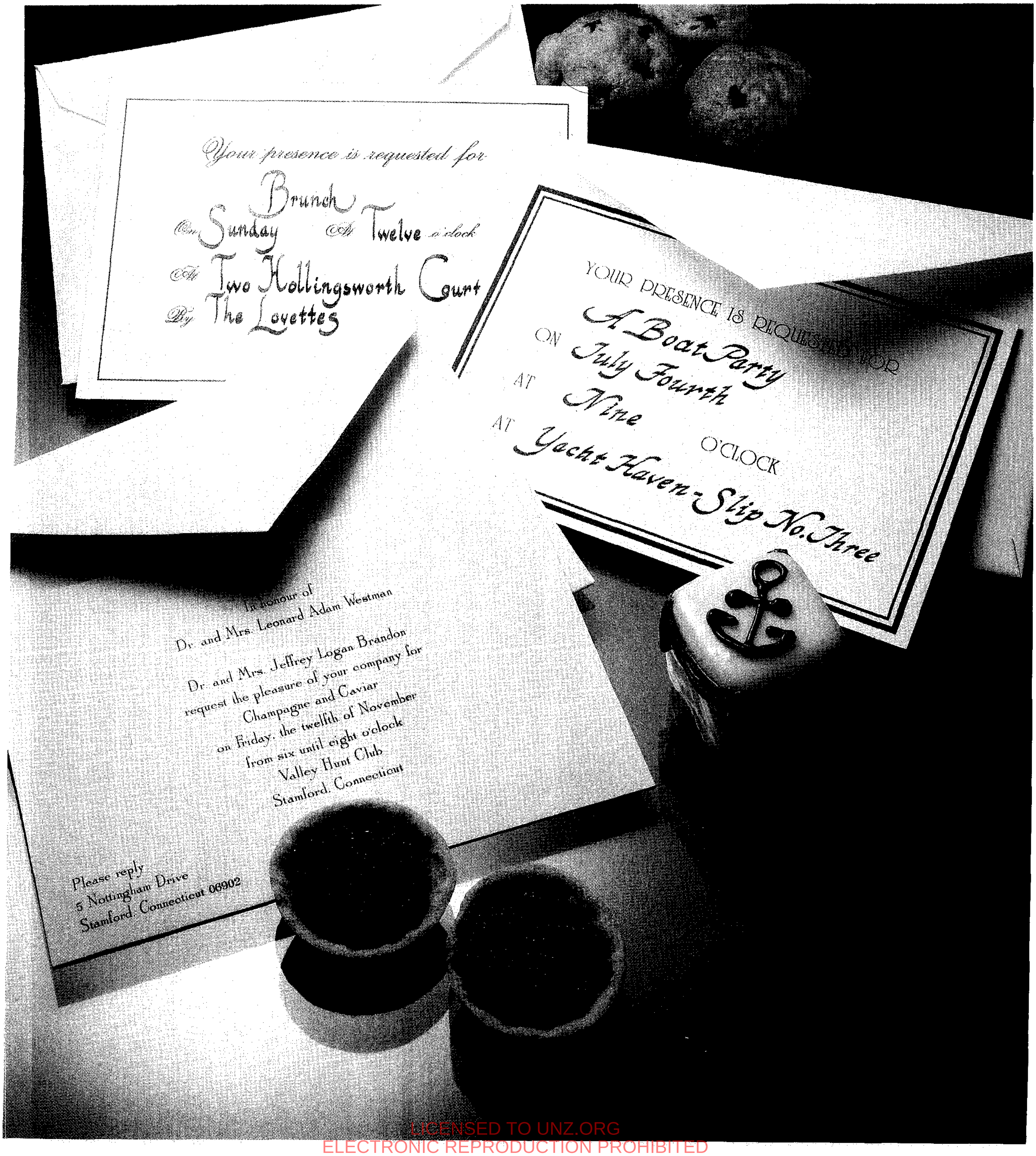

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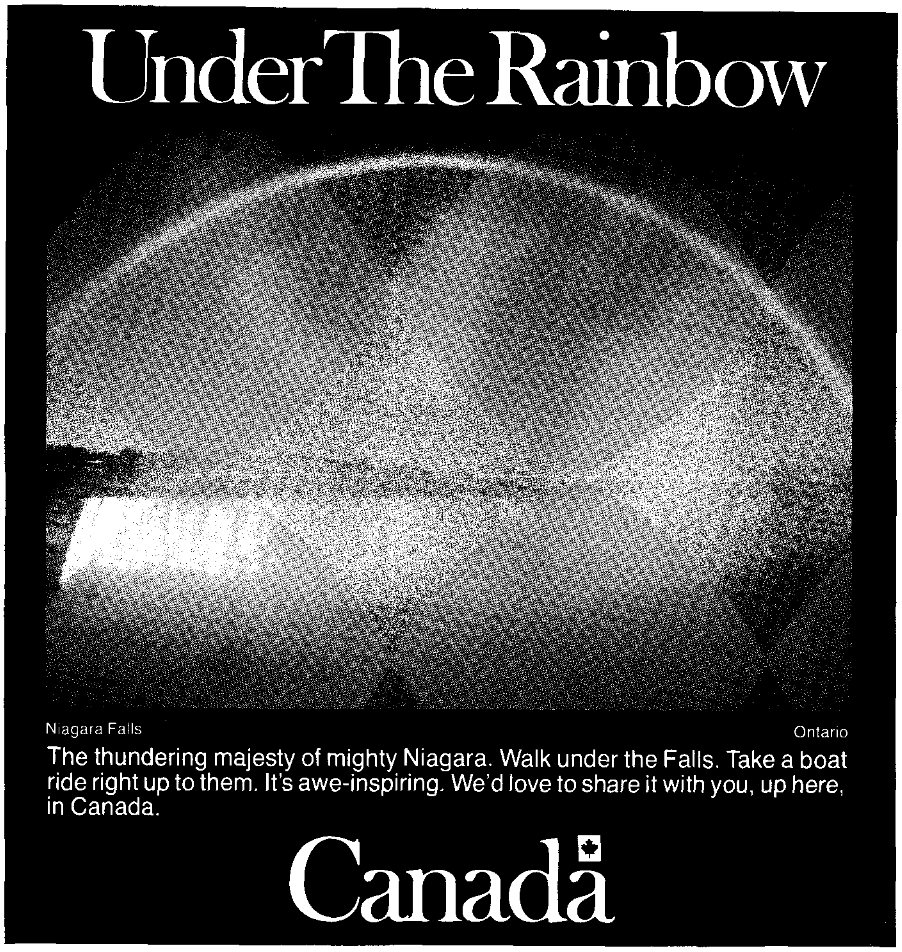

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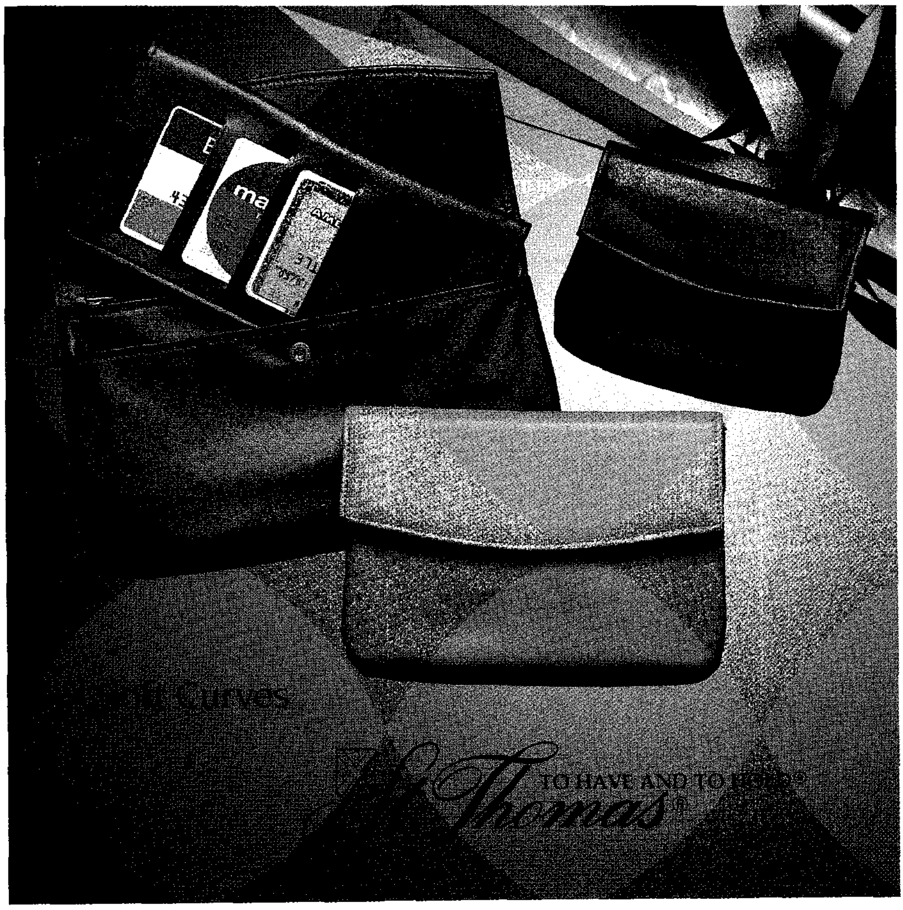

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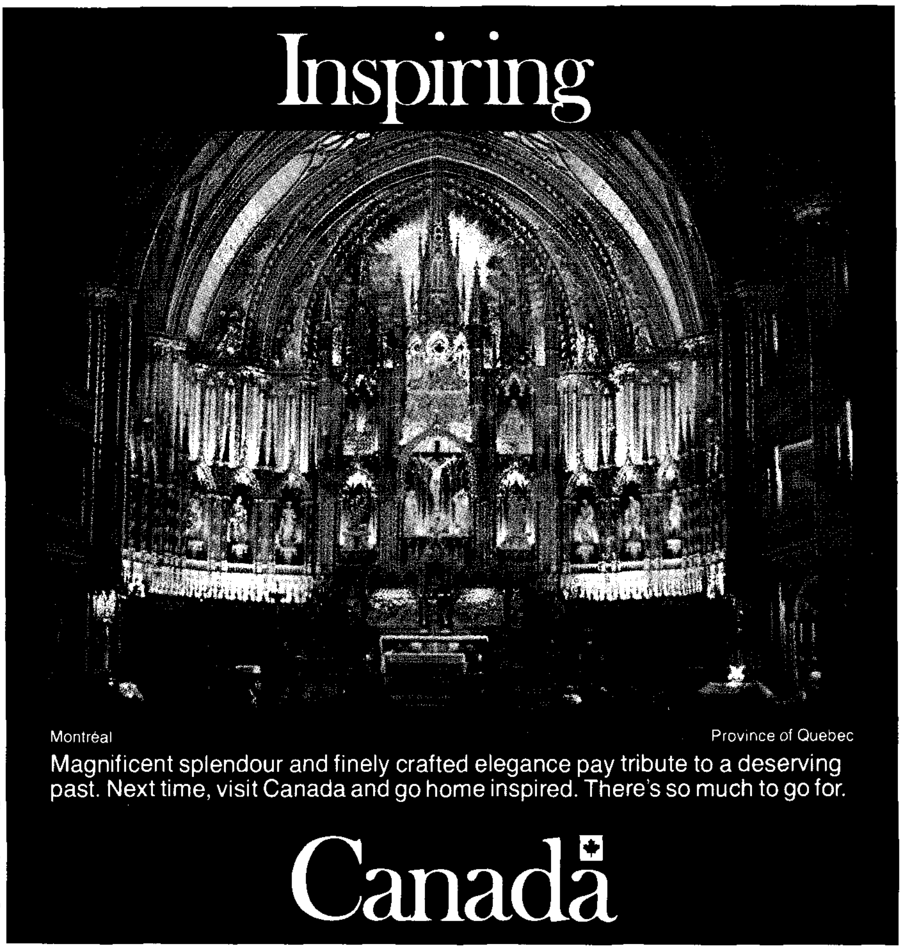
sidered the state's illegal approval of the affair was rekindled with a vengeance by word that Plaisted had acquired the latest piece of real estate in a poker game with another white man, who claimed that his title to it had also been validated by the state. This was the last straw as far as many of the Passamaquoddies were concerned, for none of them doubted that the land in question belonged to them. After further discussion, the Tribal Council voted to follow established procedure and request a meeting with the state attorney general, who, under the law, was supposed to represent the Indians in all disputes involving land. At the same time, the council, in order to show how seriously it viewed the matter, voted to seek an audience with Governor John Reed. Several weeks later, when the necessary arrangements had been made, the two Stevens brothers and their father, George, Sr., piled into an old station wagon with three other Passamaquoddies and drove two hundred miles to Augusta to keep a one-o'clock appointment with the Governor.

For reasons that were never explained, Governor Reed kept the six men waiting in the anteroom of his office for five hours. When he finally consented to see the Indians, he told them that he had discussed the dispute with a number of politicians from the region around Indian Township, that he had been given to understand that interests other than Indian ones were involved, and that he could not intervene personally in the matter. He then referred the Passamaquoddies to the attorney general, who, after listening politely as they told him about the terms of the 1794 treaty, smiled and wished them well if they ever took their claim to court.

The six Passamaquoddies were bitterly disappointed by their treatment at the hands of the Governor and the attorney general. When they returned to Indian Township, they held another Tribal Council meeting in the parish hall and described to an overflow crowd how they had been received in Augusta. During the discussion that followed, a number of their fellow-tribesmen declared that the State of Maine was their enemy—something that many of them had long felt but few had ever dared to say in public. Then the talk turned to strategy and tactics. At the end of the meeting, the Indians voted by a wide margin to block construction of the roadway into the disputed property and to prevent any new cabins from being built. They also decided that no firearms should be brought along and that there would be no violence. The prevailing mood in the parish hall was one of determination and pride tinged with anxiety and fear. No one present could remember when the Passamaquoddies had ever stood up to the whites in public.

The next morning, seventy-five Indians took up positions on Route 1, where some workers hired by Plaisted were preparing to lay a gravel road into the land he was claiming. When Plaisted, who lived in a house near his tourist cabins, came out to see what was going on, John Stevens informed him that the land belonged to the Passamaquoddy Tribe, and told him to leave the gravel, sand, and lumber that had been deposited upon it and not to proceed with any construction. Plaisted responded by asking for time to think things over—a request that Stevens granted—and went back into his house. An hour later, four state troopers and two game wardens arrived on the scene, along with a local policeman from Princeton. At lunchtime, John Stevens and most of the other Passamaquoddy demonstrators went home to eat, leaving five men (including George Stevens) and five women (including John's wife, Pauline) to continue the protest. The five men formed a line across the entrance to the proposed roadway, and the five women sat down on a large pile of sand that had been dumped beside it. Shortly thereafter, the men were taken into custody by the policeman from Princeton, who put them in his patrol car and drove to Woodland, where, informed by his "prisoners" that he had no jurisdiction to arrest them, he released them. By that time, however, the five women had been arrested by the state troopers and taken to Calais, twenty miles south, where they were charged with disorderly conduct and trespass and were locked up in the city jail. Later that afternoon, John Stevens went to Calais and obtained their release on bail for seventy-five dollars each. The next day, he drove over to Eastport and hired a lawyer named Don Gellers, who had recently arrived in town, to represent them.

Toward the end of April, when the case was brought before Judge John Dudley, of Maine District Court, in Calais, several hundred Indians were on hand, including a large contingent from the Passamaquoddy Reservation at Pleasant Point, some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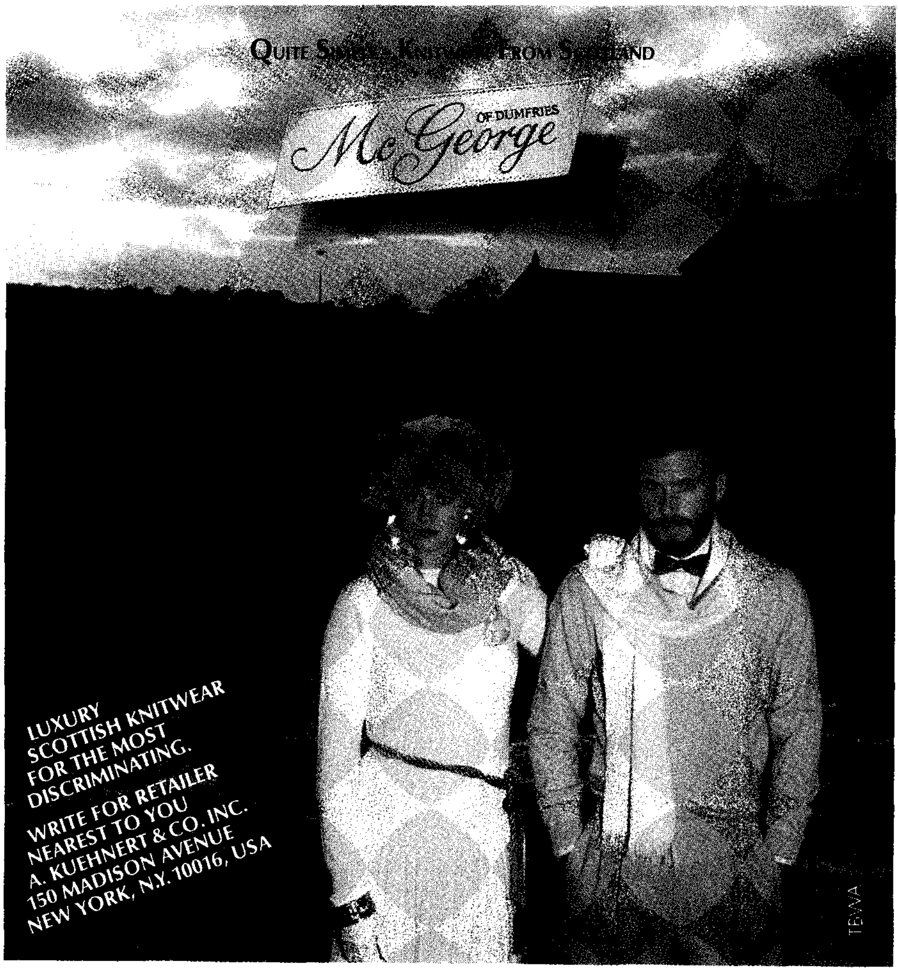
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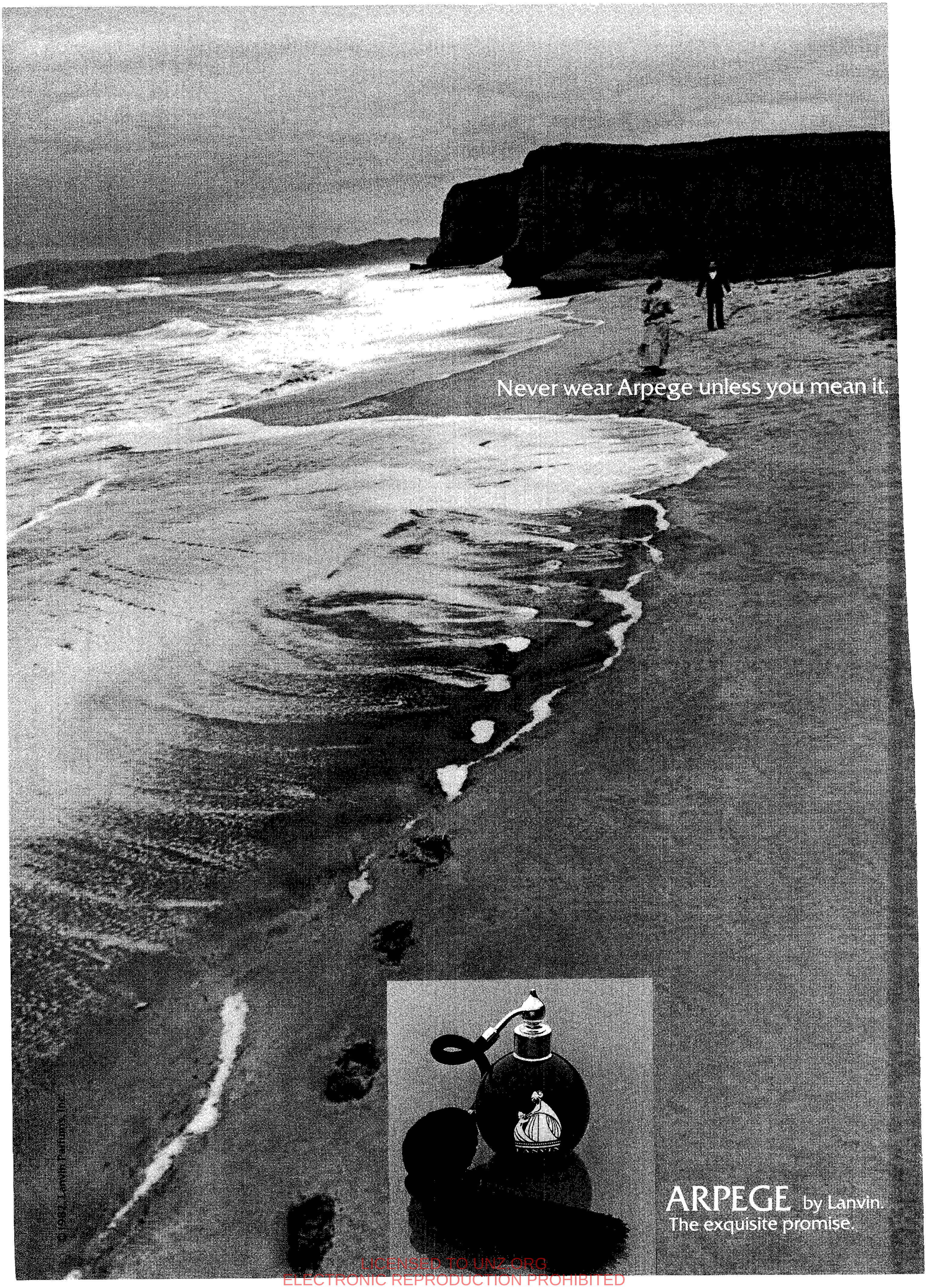

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twenty miles to the southeast. When the case was called, Judge Dudley announced that he had once served as Plaisted's attorney and had helped him acquire title to his land in Indian Township. On this basis, Gellers asked the Judge to disqualify himself. The request was granted, and the case was assigned to another judge. Before it could be tried, however, Gellers reached an agreement with the prosecutor that neither Plaisted nor the Passamaquoddies would set foot on the contested property until the question of who owned it had been settled in court. The prosecutor then set aside the charges of trespass against the five Passamaquoddy women.

At that point, Gellers began to prepare a lawsuit aimed at restoring to the Indians the six thousand acres of land that had been alienated in violation of the 1794 treaty between the Commonwealth of Massachusetts and the Passamaquoddy Tribe. As it turned out, he was taking the first step in an astonishingly complex legal and political journey, which over the next decade would lead the members of the Passamaquoddy Tribe and the neighboring Penobscot Nation to the point where they would be able to lay valid legal claim to twelve and a half million acres of their aboriginal territory—an area that is nearly two-thirds of the state of Maine, and one inhabited by three hundred and fifty thousand whites.

SOME anthropologists believe that the ancestors of the Indians arrived in Maine as early as eleven thousand years ago, after the Laurentide Icecap had receded, and they point to carvings on shell pendants found in subsequent burial sites to suggest that these prehistoric explorers shared a vast expanse of inhospitable tundra with the great woolly mammoth. Year-round occupation of the region probably did not begin, however, until forests suitable for hunting game and gathering food had grown up—a process generally estimated to have taken six millennia. Indian burial sites dating back five thousand years indicate that the residents of Maine at that time were part of a widespread culture of Algonquian-speaking people who hunted with spears and travelled in dugout canoes. Much later, after developing the bow and arrow and the use of birch bark, the Indians of Maine and the Maritime Provinces formed the Wabanaki Confederacy ("wabanaki" means "people of the dawn"), which included the Micmacs, the Malecites, the Passamaquoddies, and the Penobscots. Each of these tribes possessed a definite territory, usually along one of the large rivers flowing into the Atlantic. Thereafter, using the river as a highway and its banks as vegetable gardens, the Indians migrated with the seasons between the forested interior and the seacoast, planting and harvesting corn, squash, and beans; hunting moose and caribou; trapping beaver, otter, and muskrat; catching eels, seals, and porpoises; fishing for alewives, bass, shad, and salmon; and gathering clams and lobsters.

When the Europeans first arrived in North America, the Passamaquoddies were living on the shores of Passamaquoddy Bay, near the mouth of the St. Croix River. (According to some scholars, the name "Passamaquoddy" means "place of the undertow people," and refers to the phenomenal tidal fall in that region, which can be as much as twenty feet.) Because the Passamaquoddies were coastal dwellers, they may have come in contact with the Italian navigator Giovanni da Verrazano, who sailed up the coast from what later became known as Cape Fear, North Carolina, to Newfoundland in 1524 in search of a northwest passage to India. Their first extended encounter with whites did not take place until the winter of 1604-05, however, when Samuel de Champlain and the Huguenot leader Pierre du Guast, Sieur de Monts, built a fort on Dochet Island, in the St. Croix River. Before abandoning the settlement the following spring, the Frenchmen forged strong ties with the local residents, whom Champlain's chronicler described as having "courage, fidelity, generosity, humanity, and hospitality, judgment, and good sense." In addition to these fine character traits, the Indians at Passamaquoddy had luck, for they inhabited a remote area that, as it turned out, remained beyond the reach of English settlers for the next hundred and fifty years.

Their colleagues elsewhere in Maine were not so fortunate. The tribes to the west of the Penobscot River, their numbers reduced by plague and savage encounters with the Mohawks, began giving way to colonists from Massachusetts, who established fishing and trading posts along the coast. Then, in 1675, the Indian uprising called King Philip's War broke out in southern New England, and a long period of sporadic hostilities between the Indians and the settlers began in the part of Massachusetts that eventually became Maine. By that time, some six thousand whites were living there, mostly in the coastal region between Kittery and Monhegan Island, and during the next eighty-five years—a period marked by six separate conflicts—more than a thousand of them were killed by Indians. By the end of the French and Indian Wars, in 1763, the tribes living west of the Penobscot had been vanquished, and after the Treaty of Paris, when France ceded Canada to England, the Indians who remained on the frontier had to deal with the victors from Massachusetts as best they could. A few years earlier, Massachusetts had taken possession of that portion of the Penobscot Nation's territory which lay below the head of the tide at the falls in the river near the present city of Bangor. However, in official correspondence with leaders of the Penobscot Nation, Massachusetts acknowledged the right of the Penobscots to continue to occupy and use all the territory above the head of the tide.

For the next dozen years, Massachusetts respected its word, and, needing allies for the approaching Revolution, were even solicitous of the Indians' territorial prerogatives. In 1775, the Massachusetts Provincial Congress enacted a resolve forbidding trespass on lands adjacent to the Penobscot River which were "now claimed by our brethren the Indians of the Penobscot Tribe," and pledged that the inhabitants of the colony would "distain to make use of unjustifiable force or artifice to rob their unsuspecting brethren of their rights." And the Passamaquoddies were now seen as occupying strategic territory on the Canadian border. In 1776, they received a chain of friendship from General George Washington, and a year later they pledged their support to the American colonies when John Allan, the Continental Congress's representative to the Eastern Indians, promised that their hunting grounds would be safeguarded and that they would be "forever viewed as brothers and children under the Protection and Fatherly care of the United States."

By all accounts, the Indians acquitted themselves admirably during the Revolutionary War, and were generally credited with saving eastern Maine for the colonies. The Passamaquoddies, for example, were instrumental in turning back a British naval expedition that attacked Machias in August of 1777, and this exploit prompted Allan, who was also a colonel in the Massachusetts militia, to declare that "no people will defend the liberty of America better." After the war, Allan reminded the Continental Congress of the contributions that the Passamaquoddies had made to the revolutionary cause, and urged that the promises he had given them on the government's behalf be fulfilled. Congress did not act on his recommendations, however, and soon revoked his appointment. Allan subsequently became a commissioner for the Commonwealth of Massachusetts, and in 1794 he helped negotiate the treaty that Louise Sockabesin later showed to John Stevens. Under its provisions, the Passamaquoddies relinquished all claims to lands within Massachusetts except for the twenty-three-thousand-acre township, the islands in the St. Croix River and Big Lake, a ten-acre tract of land at Pleasant Point (which the Commonwealth later increased to a hundred acres), and the right to fish in both branches of the St. Croix River.

Meanwhile, the Penobscots had come under strong pressure from Massachusetts to surrender their claim to a vast territory in the watershed of the river for which they were named, and in 1796 they were finally persuaded to give up nearly two hundred thousand acres in exchange for a hundred and fifty yards of blue cloth for blankets, four hundred pounds of shot, a hundred pounds of powder, a hundred bushels of corn, thirteen bushels of salt, thirty-six hats, a barrel of rum, and the promise of an annual stipend consisting of similar items. From then on, their days as property owners of consequence were numbered. In 1818, impoverished and desperately in need of additional provisions, they ceded to Massachusetts all their remaining lands except the islands in the Penobscot River above Old Town, about twelve miles north of Bangor, and four six-mile-square townships from which they hoped to sell timber and make their living. The final big grab occurred in 1833, when the State of Maine—which had separated from Massachusetts and won admission to the Union in 1820—bought the four townships for fifty thousand dollars in a fraudulent transaction involving forged signatures.

Once the three hundred or so Penobscots who remained had been deprived of their patrimony, they found themselves consigned to a tiny ghetto community on Indian Island, just above the falls in the Penobscot River at Old Town. As for the Passamaquoddies, who numbered about four hundred, by 1850 they were reduced to living in two isolated settlements—one on the Atlantic coast at Pleasant Point, a barren promontory bounded on three sides by the waters of Passamaquoddy and Cobscook Bays, and the other at Peter Dana Point, a remote peninsula dividing Big Lake and Long Lake, in Indian Township, some fifty miles away. As far as their white neighbors were concerned, the Indians were now expected to become extinct—"gradually diminishing," one observer predicted, "as other tribes, once their powerful neighbors, have done before them, till there shall be none remaining." In the years that followed, however, the Penobscots and the Passamaquoddies intermarried extensively, increased in numbers, and, in spite of poverty, oppression, and a lack of adequate education, managed to retain a strong sense of their Indian identity. They also became convinced that they had lost their lands unfairly. This conviction grew stronger after the Second World War, and so did their frustration when they saw blacks and other minority groups asserting their rights and redressing grievances elsewhere in the United States. When they finally came to realize that, as wards of the State of Maine, they were virtually powerless, some form of protest was inevitable. For the Passamaquoddies, its culmination was the sit-in on the pile of sand at Plaisted's.

DURING the summer that followed the sit-in, a young man from St. Louis named Thomas Tureen, who had just finished his sophomore year at Princeton, got a job as a physical-education instructor at a school in Pierre, South Dakota, that was run by the United States Interior Department's Bureau of Indian Affairs. Tureen could scarcely believe his eyes when he arrived at his new post. The two hundred students at the school, who were mostly Sioux, had been removed from their homes on reservations in South Dakota and Montana, and were not being allowed to return for summer vacation, because of what the government deemed to be adverse family situations. Moreover, while they were at the school they not only were not allowed to speak any Indian language but were punished if they did. One of Tureen's fellow-instructors actually carried a club on his belt to enforce this prohibition and maintain discipline. By the end of the summer, Tureen had become convinced that the boarding school was, in essence, an internment camp, and that the young Indians there were essentially captives. The experience changed his life. He had intended to major in literature and poetry. Now, appalled and fascinated by the relationship that existed between the Indians and the federal government, which exercised almost complete control over their lives, he became interested in law.

After graduating from Princeton, Tureen entered law school at George Washington University, in Washington, D.C., and went to work part time for Edgar Cahn's Citizens' Advocate Center, where he helped do research for a book highly critical of the Bureau of Indian Affairs. (It was published in 1969, under the title "Our Brother's Keeper: The Indian in White America.") He also signed up to work with the Law Students' Civil Rights Research Council, a national organization that provides law-student clerks to lawyers engaged in civil-rights work. In the spring of 1967, because he had fallen in love with a senior at Sarah Lawrence named Susan Albright (she later became his wife), and hoped to be near her during the coming summer vacation, he told the council that he wanted to work on Indian cases in the East. As it happened, the council had received only one request for a clerk that met this requirement. It had come from Don Gellers, in Eastport.

By that time, Gellers had put together a detailed account of how the Passamaquoddies lost six thousand acres of the original twenty-three thousand acres of land that had been reserved to them under the 1794 treaty, and he had begun to explore ways in which he might be able to bring about its restitution. During the summer that Tureen clerked for him, Gellers was working on the theory that Maine had violated the provisions of the 1794 treaty between Massachusetts and his clients. One problem with this approach was that Maine was one of the few remaining states in the Union that had refused to waive sovereign immunity; this meant that it could not be sued by anyone other than the United States or another state without its consent. To get around

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19

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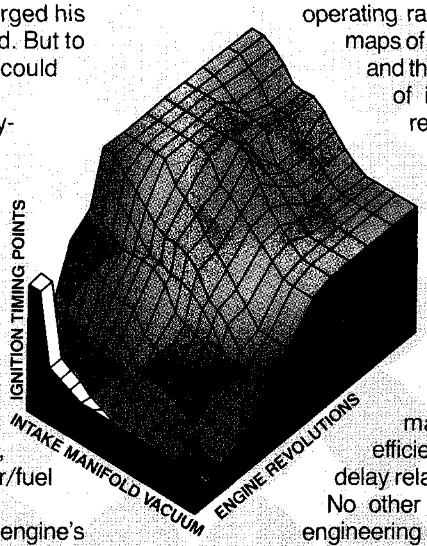

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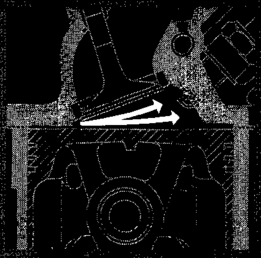

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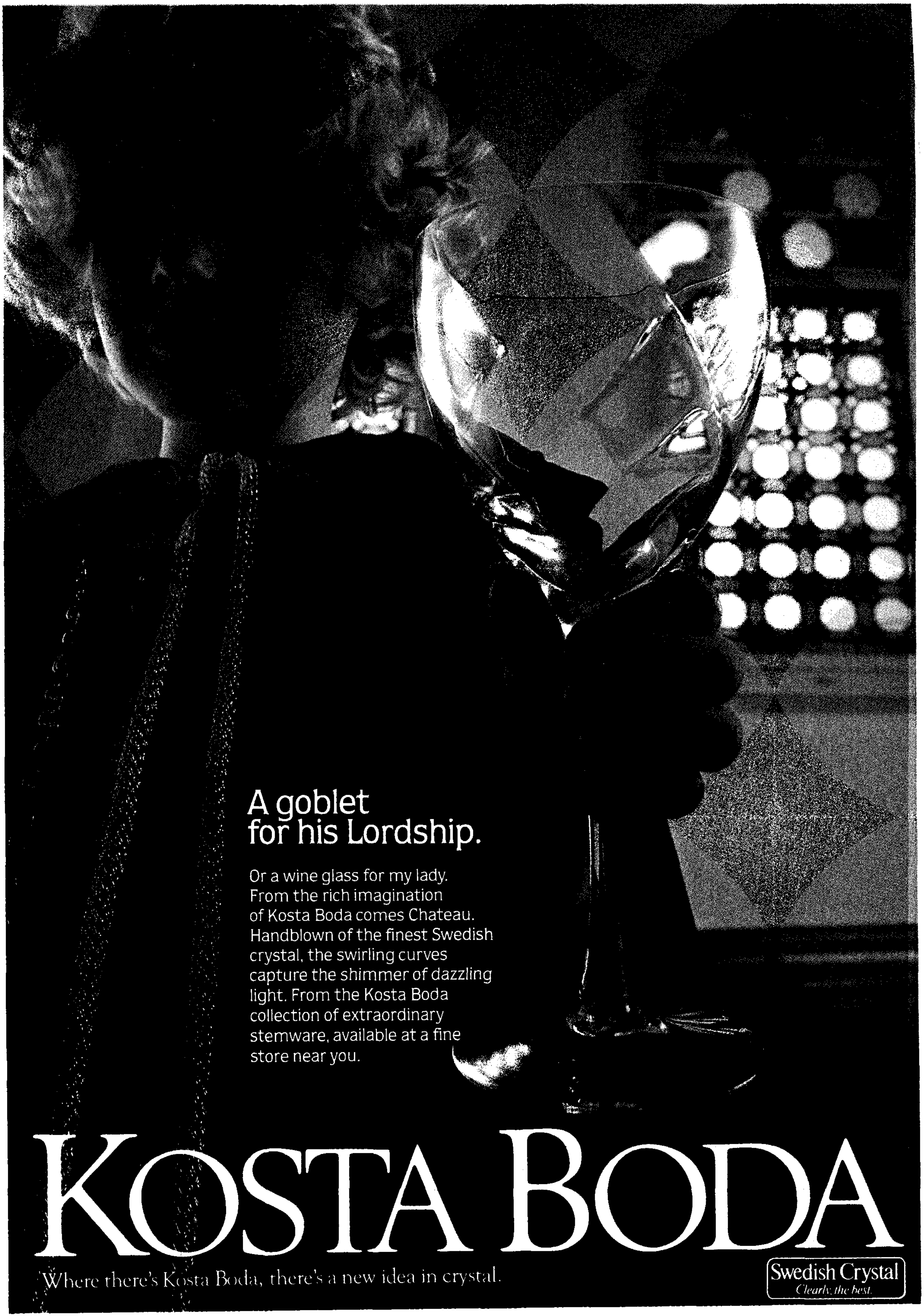

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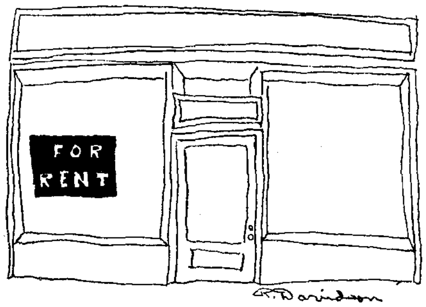
his obstacle, Gellers decided to sue Massachusetts, which had waived sovreign immunity, the ground for the uit being that the Passamaquoddies had never released Massachusetts from ts obligations under the 1794 treaty. The idea behind this strategy was that Massachusetts would then be forced to sue Maine. Because Gellers wanted an attorney familiar with Massachusetts law, he obtained the services of John S. Bottomly, a lawyer practicing in Boston, who had achieved public notice when he was put in charge of the investigation of the Boston Strangler murder case by the state's attorney general. (In the film that was made about the case, the role of Bottomly was played by Henry Fonda.) On March 8, 1968, Gellers and Bottomly began a suit against Massachusetts in behalf of the Passamaquoddy Tribe for a hundred and fifty million dollars as compensation for past mismanagement of its tribal trust fund. Three days later, Gellers was arrested by a Maine narcotics agent at his home in Eastport and charged with possession of marijuana. During the months that followed, he became almost wholly preoccupied with defending himself against this charge. As a result, Joint Tribal Council of the Passamaquoddy Tribe v. the Commonwealth of Massachusetts was never argued in Suffolk Superior Court in Boston, and the Passamaquoddies were once again without a lawyer.

This state of affairs continued until June of 1969, when Tureen finished law school. At that point, encouraged by John Stevens, with whom he had become friendly two summers before, he returned to Maine, opened an office in Calais, and went to work for the Indian Legal Services Unit of Pine Tree Legal Assistance—a statewide program financed by the Office of Economic Opportunity to provide lawyers for poor people involved in civil cases. For the remainder of the year, Tureen represented Passamaquoddy clients in proceedings involving divorces, bill collections, and petty disputes. Then, in the winter of 1970, he began helping the tribe set up organizations and corporations that would enable it to receive grants from various federal agencies. This led him to wonder why the Passamaquoddies had never received any financial assistance from the Bureau of Indian Affairs, which, as he knew from his research for "Our Brother's Keeper," was the lead agency for such aid. Upon looking further into the matter, Tureen found that B.I.A. money went only to those tribes whose land was held in trust by the United States or was held subject to a federal restriction against alienation, and that federal money was almost never allocated to the tribes living in states that had evolved from the original thirteen colonies. He then undertook to study the basic statute for that restriction—the Indian Nonintercourse Act of 1790, which was passed by the First Congress to protect the Indians from land grabbers, and which was amended by subsequent Congresses but has been preserved to the present time. The Nonintercourse Act prohibits the sale of Indian lands without the express approval of Congress, and it does so in very specific terms. It declares that "no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of preëmption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States."

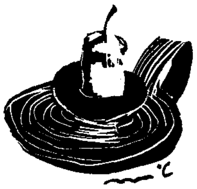
The more Tureen pondered the language of the Nonintercourse Act, the more he became convinced that it ought to apply to the Passamaquoddies, in spite of the fact that states that had evolved from the thirteen original colonies had never accepted the statute as limiting their power over Indian tribes living within their borders. With Francis O'Toole, a student at the University of Maine School of Law and editor-in-chief of the school's *Law Review*, who had been working on Indian law for several years, he now undertook to examine the legal and legislative premises lying behind the sweeping jurisdiction that Maine had long exercised over its Indians. After several months of exhaustive research, the two men concluded that there was no basis whatever for the commonly held assumption that the Nonintercourse Act did not apply to tribes living in what had been the thirteen original colonies. Nor could they find any evidence that the treaty of 1794 with Massachusetts had been made in compliance with the Nonintercourse Act or had ever been approved by Congress. In an article published in the *Maine Law Review* in the spring of 1971, Tureen and O'Toole outlined their findings in considerable detail and levelled a harsh indictment of the federal government's policy toward the Indians in Maine. "The Department of Interior has failed to fulfill the national guardianship duty owed to Maine's tribes," they wrote. "Some of the blame must also lie with the United States Congress, which has failed to exercise the power vested in it by the United States Constitution. The failure of the Department of Interior to fulfill its duty and of Congress to exercise its power, however, has created no rights in the State of Maine. The federal government has never surrendered its power over Maine's tribes. That power must be resurrected and the many wrongs must be remedied."



At the time, neither Tureen's colleagues in the legal profession nor, for that matter, anyone at all in a position of power and responsibility in Maine paid much attention to the article. The Passamaquoddy Tribal Council, however, fired Gellers, who had been convicted of one of the charges against him—"constructive" possession of marijuana—and sentenced to a term in prison, and asked Tureen to take over the land-claim case. He willingly accepted. In the winter of 1980, during the first of several visits I paid him at his office in Portland, Tureen—a short, energetic man with a shrewd mind, a self-confident manner, and an impish smile—told me, "I knew as early as 1970 that the Passamaquoddy land claim could lead to an incredibly big lawsuit. I remember coming home very excited one night and telling my wife that if what I had figured out about the Nonintercourse Act was correct the Passamaquoddies could lay claim to a million acres. Later, when I had actually been given the case to handle, it struck me that, with so much real estate at stake, I was bound to come up against some pretty heavy going, and that a case this big would require the efforts of a legal team. I also realized from observing the Gellers affair that an individual attorney is comparatively easy to pick off. I had spent enough time on Capitol Hill to learn how easily political pressure can be brought to bear on government agencies, and the fact that Pine Tree Legal Assistance was financed by

O.E.O. made me kind of uneasy. For these reasons, one of the first things I did was go out and line up some independent legal and financial backing."

In the spring of 1971, Tureen persuaded the Native American Rights Fund, or NARF—a nonprofit law firm that had recently been set up to handle Indian grievances across the nation, and was primarily supported by the Ford Foundation—to act as co-counsel. "Later on, I went to work for NARF full time, on salary," he said. "There was never any question of my handling the Passamaquoddy case on a contingency fee. In addition to enlisting the aid of NARF, I went shopping for a large law firm to participate pro bono. First, I visited Arthur Lazarus, Jr., in the Washington office of Fried, Frank, Harris, Shriver & Kampelman. He had handled cases under the Indian Claims Commission Act—a 1946 law that, among other things, allowed Indians whose land had been taken unfairly to sue the United States for an amount equal to the value of the land at the time it was taken—and I had heard that he was very knowledgeable about Indian affairs. Incidentally, for the past twenty-four years Lazarus has been one of the attorneys for the Sioux Nation of Indians in its battle to win compensation for the government's acquisition of the Black Hills portion of the Sioux Reservation back in 1877, and he recently helped win an award of nearly a hundred and six million dollars for his clients, which is the largest award ever made under the Indian Claims Commission Act. In 1971, however, when I told him that the Passamaquoddy Tribe had a million-acre claim dating back to 1794, he sat quietly in his chair and did some figuring in his head. As I recall our conversation, he then told me that such a claim would amount to only about three hundred thousand dollars, and that the case would not warrant the time and money required to litigate it. I said, 'Mr. Lazarus, this is not an Indian Claims Commission case, this is a Nonintercourse Act claim.' At that, he shook his head and told me I was dreaming. Afterward, I went to the firm of Hogan & Hartson, which had a separate division set up to do free work for deserving clients, and the people there came on board with enthusiasm. Finally, I was lucky enough to get Barry Margolin, a brilliant young law student at Northeastern University, in Boston, and David Crosby, who had been editor-in-chief of the University of Southern California *Law Review* and was then an attorney with California Indian Legal Services, to come up to Calais and work on the case full time. I now had a team of first-rate attorneys, including Robert Pelcyger, of NARF, Robert Mittel, of Pine Tree Legal Assistance, and Stuart Ross, of Hogan & Hartson, to help me, and I was hoping that the give-and-take among us would produce a first-rate piece of litigation. One thing was certain—the Passamaquoddy claim was so big we sure as hell weren't going to win on sympathy."



The chief problem that now confronted Tureen and his colleagues was how to convert into a legal reality the theory that the provisions of the Nonintercourse Act applied to the Passamaquoddy Tribe, and that the tribe was therefore entitled to the return of its entire aboriginal territory, the special services that the federal government gives to Indians, and the special governmental status that American Indian tribes enjoy. "We had to figure out a way to get this huge claim into court," Tureen said. "To begin with, we knew we were going to have to find a way around the problem of sovereign immunity. Gellers' plan—to bring suit against Massachusetts in the hope that Massachusetts would be forced to sue Maine—was unacceptable. For one thing, it depended on state courts, which we were afraid might be prejudiced against the Indians. For another, it rested on the assumption that the treaty made in 1794 between the Commonwealth of Massachusetts and the Passamaquoddy Tribe was valid, and thus gave away everything except the claim for the six thousand acres that had been taken from Indian Township during the years that followed. It also meant abandoning any hope of obtaining federal services or governmental status. We decided that a much better way would be to bring an action in federal court against the State of Maine and its landowners for the entire million-acre claim, on the ground that the 1794 treaty violated the federal Indian Nonintercourse Act. We would still have to deal with sovereign immunity, however, because the Eleventh Amendment to the Constitution prohibits a private party from suing a state in federal court. Happily, our research turned up an obscure case that promised a way out of this dilemma. I was brought by George Lee, a son o General Robert E. Lee and his wife Mary, and it involved land that hac been taken from Mary Lee withou due process and without compensation during the Civil War and turned into Arlington National Cemetery. In 1882, the Supreme Court ruled that George Lee, who had inherited the land from his mother, could bring suit in federal court for return of the land, the Eleventh Amendment notwithstanding, on the ground that since the property had been taken in violation of the Constitution, it was in the possession of those agents of the government who were illegally occupying it, and not in the possession of the government itself, for the simple reason that the government could not violate its own laws. On the basis of this case alone, we hoped that the Passamaquoddy Tribe would be able to sue Maine in federal court for having violated the Nonintercourse Act. However, we would then have to get around a second problem, which involved a legal doctrine known as the well-pleaded-complaint rule. You see, federal courts generally have the power to hear only actions between citizens of different states, or actions that arise under federal law. Since the Passamaquoddy Tribe was a resident of Maine, it was obvious that we could not get into federal court against the State of Maine on the basis of diversity of citizenship. Thus, our only hope of invoking federal-court jurisdiction was to claim that our proposed lawsuit was based on a violation of the federal Nonintercourse Act. The trouble here was an earlier Supreme Court ruling that an action could be construed to arise under federal law only if the federal-law issue appeared in a complaint that contained nothing superfluous—a decision that had come to be known as the well-pleaded-complaint rule. Since the Passamaquoddies were seeking possession of land and monetary damages for trespass, they would be filing a simple ejectment action, which, if it were to be considered well pleaded, should state nothing more than that the Indians were entitled to possession of the land, and that the State of Maine was keeping them out. We soon discovered that our fears about the well-pleaded-complaint rule were far from theoretical, for, as it happened, a land claim brought by the Oneida Indian Nation against the County of Oneida in New York State had just been rejected in District

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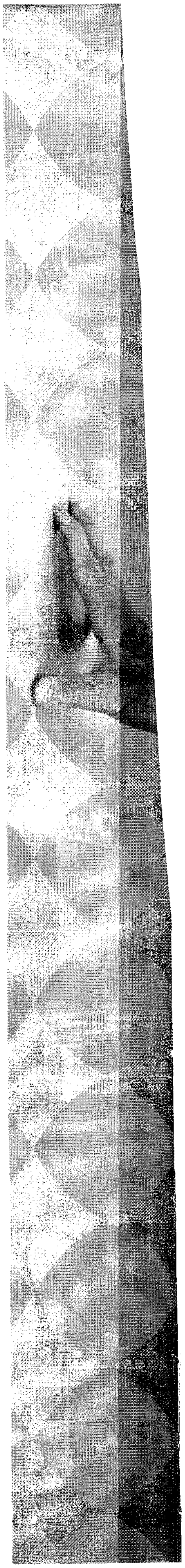
Enigma:



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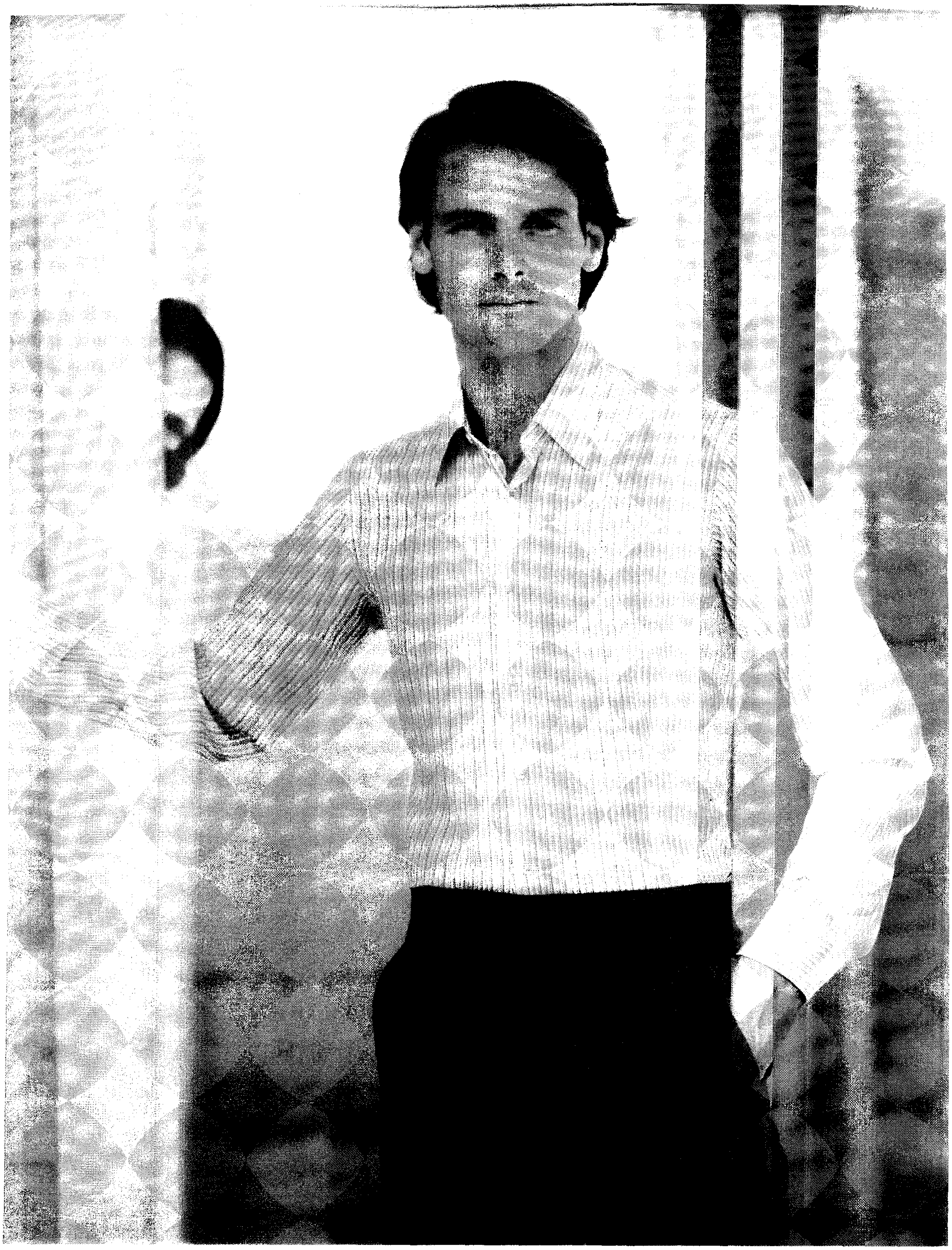

Is magnificence...

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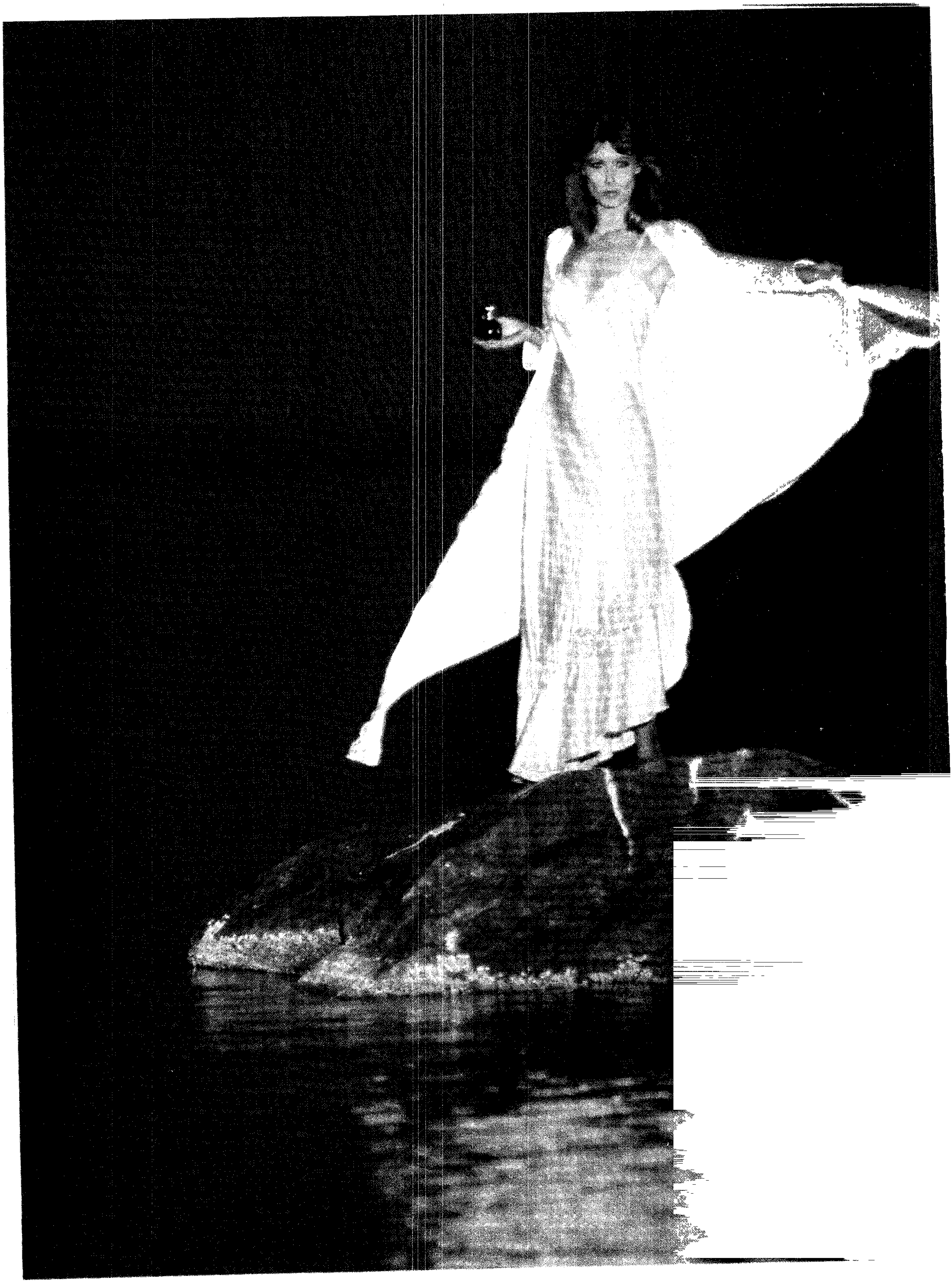

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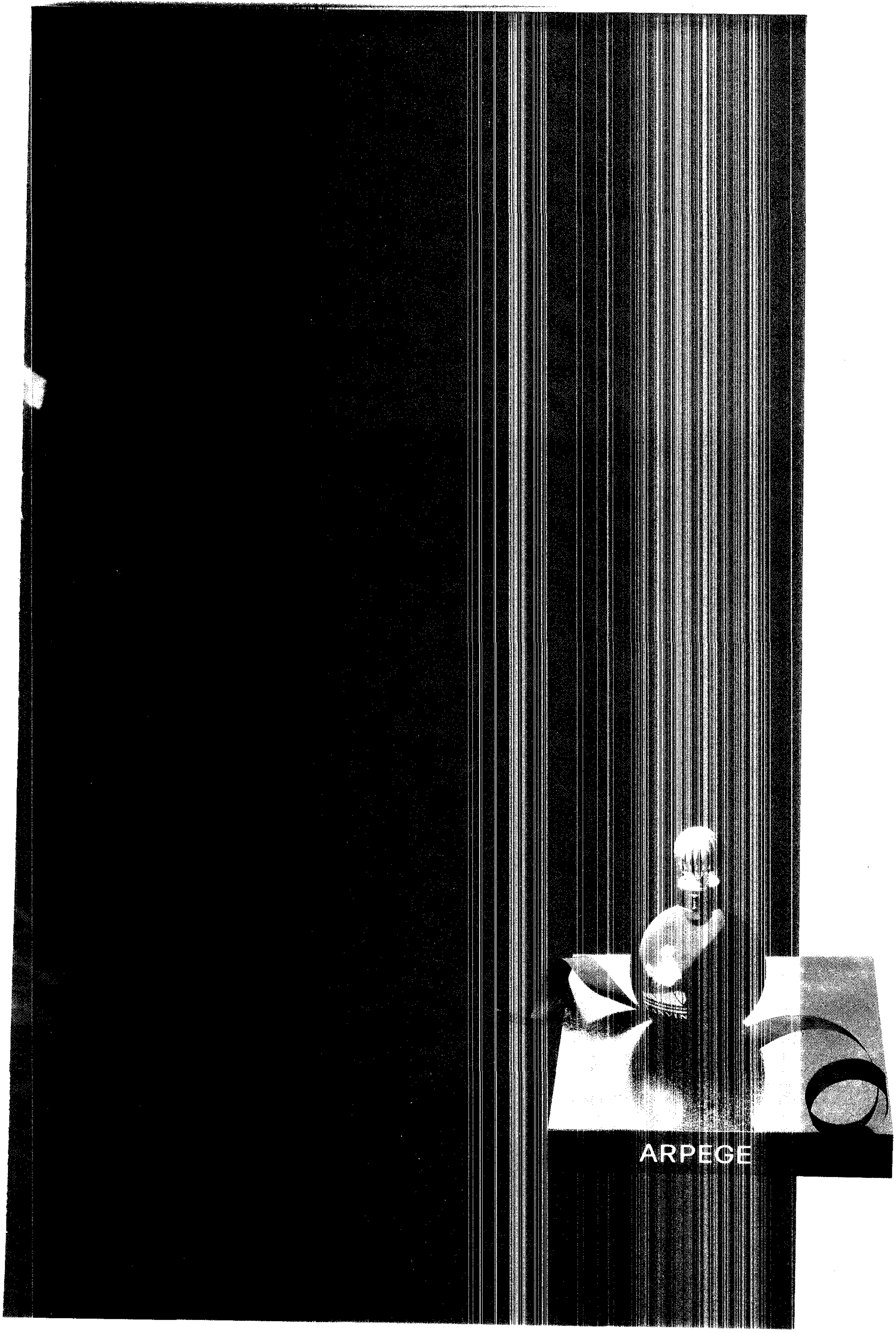
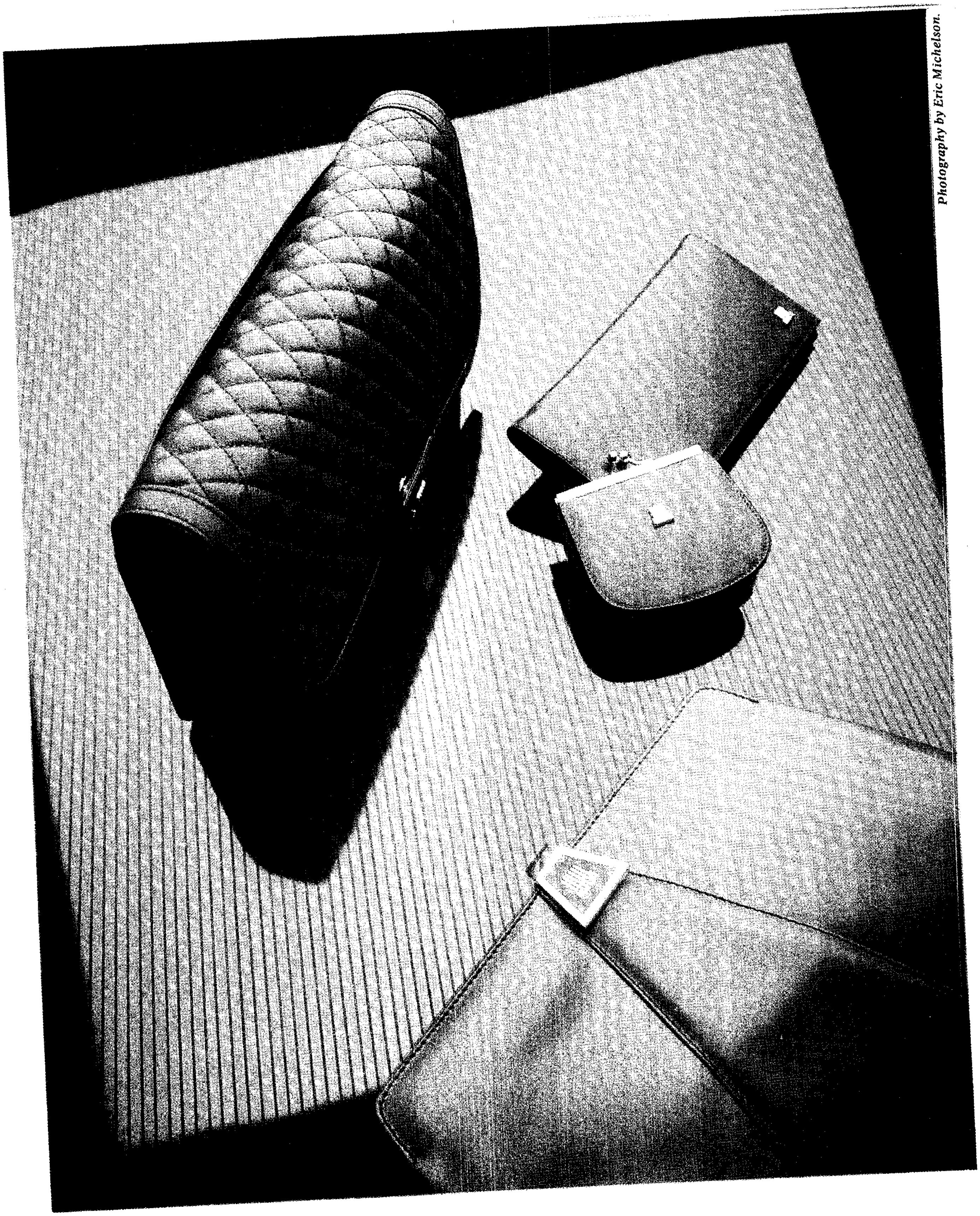


... or is simplicity


Photography by Eric Michelson.

... the fruit of magnificence?

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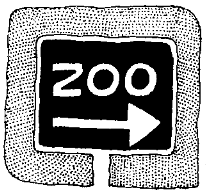
Court, on this very ground. In attempting to establish their right to have their case heard in federal court, the Oneidas had included in their ejectment complaint an allegation that they were entitled to possession of certain parcels of land because of the Nonintercourse Act. The court, however, found that this allegation was superfluous, and dismissed the action on the basis of the well-pleaded-complaint rule. As things turned out, the Supreme Court would reverse this ruling in 1974, on the ground that federal regulation of all Indian lands is so pervasive that there cannot be a dispute involving Indian land which does not, in turn, involve federal law. But the Supreme Court reversal was three years down the road, of course, and in 1971 the well-pleaded-complaint rule caused us a lot of worry."

Tureen went on to say that in addition to the problems posed by the Eleventh Amendment and the well-pleaded-complaint rule, he and his colleagues faced the prospect of having to deal with various time-related defenses, such as laches, adverse possession, and statutes of limitation. " 'Laches' simply means that you have sat on your hands too long," he explained, "and 'adverse possession' is just another way of saying 'squatters' rights.' However, our research had revealed that no time-related defense based on state law could defeat an Indian claim filed by the federal government under the Nonintercourse Act, and we thought that the same exemption might apply to an Indian tribe filing a claim on its own. Only a federal statute of limitations could clearly defeat this kind of claim. We had never heard of such a statute, but just to make doubly certain we decided to go looking. When we did, we found to our shock and surprise that on July 18, 1966, Congress had adopted a statute of limitations which declared that all claims for monetary damages for wrongful use of Indian land brought on behalf of any Indians by the United States government would have to be filed within six years of the time the wrong occurred, and that for purposes of the statute old claims such as those of the Passamaquoddy Tribe were deemed to have accrued on the date of passage. This meant that if we couldn't persuade the government to bring legal action in behalf of the Passamaquoddy Tribe before July 18, 1972—then just eight months away—we would have to risk filing the claim for damages for a hundred and eighty years of trespass, potentially worth billions of dollars, on our own. While we had theories as to why the Eleventh Amendment, the well-pleaded-complaint rule, and the state-law time defenses should not defeat a Nonintercourse Act claim brought by the tribe in federal court, the trouble was that they were just theories. On the other hand, it had been clearly established that none of these defenses could stop a Nonintercourse Act claim brought by the United States in behalf of a tribe. That was the clincher as far as strategy was concerned. Somehow or other, we were going to have to find a way to get the feds to sue the state."

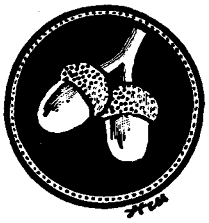
IN December of 1971, Tureen appeared before the members of the Joint Tribal Council of the Passamaquoddy Tribe, meeting in the parish hall at Peter Dana Point, and told them that the 1794 treaty with Massachusetts was null and void, because it had never been approved by Congress. He explained that as a result the Passamaquoddy Tribe could now bring suit not just for the six thousand acres that had been purloined from its holdings at Indian Township but for its entire ancestral hunting grounds—an immense area of more than a million acres, lying between the Narraguagus and St. Croix Rivers. After outlining the various legal options, he recommended that the Tribal Council ask the federal government to initiate such an action on its behalf. There were a few moments of astonished silence. Then, after taking a unanimous vote, the council decided to go ahead.



On February 22, 1972—Washington's Birthday—the governor of the Passamaquoddy Tribe at Indian Township and the governor at Pleasant Point jointly wrote a letter to Louis R. Bruce, the Commissioner of the Bureau of Indian Affairs, in Washington, D.C. After reminding Bruce of the promises that had been made to the Passamaquoddy Tribe by Washington, and of the services that the Passamaquoddies had rendered to the revolutionary cause, the two governors cited some of the evidence gathered by Tureen to show that the lands of the tribe should have been protected by the federal government under the Nonintercourse Act. They also requested that Bruce ask the Department of Justice to initiate a lawsuit against Maine for the return of the land and for monetary damages, and to do so before the July 18th deadline imposed by the statute of limitations.

"Writing the letter on Washington's Birthday was, of course, a symbolic gesture," Tureen told me. "In any event, Louis Bruce, a Mohawk from New York State, became convinced that the Passamaquoddy claim had merit, and early in March he sent a memo recommending approval of the governors' request on up through channels in the Interior Department. Several weeks passed, and when April came we still had no reply. By that time, however, we had learned that the memo had reached the desk of William Gershuny, the Associate Solicitor for Indian Affairs, who was the top legal officer in the department for Indian matters. Gershuny was not known to have any special sympathy for Indians, but I went down to Washington to see him, in the hope that I could persuade him to take some action. I was only twenty-eight at the time, and I guess I was still fairly naïve. At our meeting, Gershuny told me that the whole business was very complicated and his division would need more time to study it, so I thanked him and came back to Calais. April went by, May arrived, and, with the July deadline fast approaching, we began firing off desperate telegrams to Gershuny, who responded by telling us that the matter was still under advisement. By then, it was becoming clear that we were being stalled, so in mid-May I went to Augusta and paid a call on Governor Kenneth Curtis"—he had succeeded John Reed in 1967—"and told him about the situation. The Governor couldn't have been more sympathetic. He issued a public statement saying that if the Passamaquoddies had a valid claim they should have their day in court, like all other Americans, and that a case of this importance should not be allowed to go by default by letting the statute of limitations run out."

The very next day, Tureen flew to Washington and elicited similar expressions of support from Senator Margaret Chase Smith, Senator Edmund S. Muskie, and Maine's two representatives—William Hathaway and Peter Kyros. Senator Smith was especially helpful. She wrote a letter to Interior Secretary Rogers C. B. Morton urging him to take quick action on the Passamaquoddies' petition. She also called the White House, and Bradley Patterson, President Nixon's staff man for Indian affairs, then called Gershuny. "When we heard about the details of that conversation between Patterson and Gershuny, we knew for sure that Interior was leading us up the garden path," Tureen said. "An attorney friend of mine quoted Gershuny as saying that it was high time the Indians accepted the facts of life. Gershuny also pointed out to the White House that the statute of limitations was about to expire, and that no court had ever ordered the federal government to file a lawsuit on behalf of anyone, much less a multi-million-dollar lawsuit on behalf of a powerless and virtually penniless Indian tribe. At this point, we realized that Gershuny was a step ahead of us. He was assuming that any attempt on our part to obtain a court order forcing the government to act on behalf of the Passamaquoddies would fail, because of a time-honored legal doctrine called prosecutorial discretion. Now, there was no question in our mind that this doctrine could spell bad trouble for us, and that we would have to find a way around it. Federal judges hate to get involved with the actual running of government, you see, and they especially dislike second-guessing purely discretionary decisions, such as those a government lawyer must make in deciding whether or not to prosecute a lawsuit. In fact, although federal judges routinely correct administrative decision-makers who act on the basis of an incorrect understanding of the law, no federal judge in the entire history of American jurisprudence had ever ordered the government to file a lawsuit. Unfortunately, it was just such an order that we desperately needed."



As Tureen and his colleagues pondered the problem of prosecutorial discretion, they became increasingly nervous, for it was now the middle of May, and the statute of limitations was due to expire in two months. "Although the language of the statute spoke only of claims filed by the government for money damages, we feared that it might be broadly construed by a court to include actions for possession of land, whether they be brought by the government or a tribe," Tureen said. "In short, we faced the prospect of the entire Passamaquoddy claim becoming moot if we were not able to force the government to file before July 18th. Then, all of a sudden, Stuart Ross came up with the idea that the very threat of mootness might provide a way out of our quandary. He reminded us that Article III, Section Two, of the Constitution provides that judges have power to adjudicate only live controversies, as opposed to moot or academic questions of law, but he also pointed out that under the common law judges have practically unlimited power to preserve an issue once it is properly before the court. Thus, if we could convince the court that there was a valid dispute between the Passamaquoddy Tribe and the Interior Department over the meaning of the Nonintercouse Act, and further convince the court that it was going to lose its jurisdiction to adjudicate this issue when the statute of limitations ran out, we might be able to persuade the court to order the government to file suit in behalf of the tribe in order to preserve its jurisdiction to decide the question of the applicability of the Nonintercourse Act to the Maine Indians. Since the court would technically be ordering the government to do no more than merely file the suit—in order to forestall the running of the statute of limitations—it would not be interfering with the doctrine of prosecutorial discretion. And while such an order would not guarantee that the government would eventually proceed with the claim, the filing of it was bound to provide a powerful impetus to do so, and would be an immensely important strategic victory. After considering the various pros and cons of the matter, we decided to use the common law enabling judges to preserve their jurisdiction in a last-ditch effort to unlock the door that the people at Interior had shut in our faces. It was a gamble, of course, but with the statute of limitations running out on us, what else could we do?"

On June 2, 1972, Tureen and his colleagues filed suit on behalf of the Passamaquoddies against Secretary Morton and other government officials in the federal district court in Portland, seeking a declaratory judgment that the tribe was entitled to the protection of the Nonintercourse Act, and requesting a preliminary injunction ordering the defendants to file a protective action for monetary damages against the State of Maine before the statute of limitations expired. Two weeks later, United States District Court Judge Edward T. Gignoux, a jurist of widely acknowledged excellence, who had been appointed by President Eisenhower in 1957, held the first of two lengthy hearings on Passamaquoddy v. Morton, and Tureen found himself arguing in federal court for the first time in his career. "I was terribly nervous," he recalled. "So were my colleagues, Stuart Ross and Barry Margolin. After all, we were going for broke in a make-or-break situation. I began by pointing out to Judge Gignoux that under the provisions of the Administrative Procedure Act an unreasonable delay was deemed to be a denial of a request. Then I told him that we believed that officials of the Interior Department had unreasonably delayed and thus, under the Administrative Procedure Act, technically denied the Passamaquoddies' request. I said that we believed that the government had done this because it had assumed incorrectly that the Nonintercourse Act did not apply to Indians living in states that had evolved from the thirteen original colonies. Finally, I asked him to order the government to file a protective action on behalf of the tribe not for the benefit of the tribe but as a means of protecting the court's jurisdiction to hear the case involving the question of whether or not the Nonintercourse Act did in fact apply to the Passamaquoddy Tribe. It was a highly unusual request, because it broke new legal ground, and Judge Gignoux was clearly reluctant to issue the momentous order that would grant it unless he had to. He was undoubtedly hoping that the government would also want to avoid such a precedent, and would voluntarily file a protective suit in behalf of the tribe. However, it soon became apparent that Dennis Wittman, the lawyer from the Justice Department who was representing the federal defendants, had no authority to take this step. As a result, Judge Gignoux concluded the first hearing by ordering the government to report to him within a week on whether it would voluntarily file suit on behalf of the tribe, and, if the decision was negative, to state its reasons. In a show-cause hearing held on June 23rd, Wittman conceded that the Nonintercourse Act applied in the states that had evolved from the thirteen original colonies, but he informed Judge Gignoux that the government would not sue the State of Maine on behalf of the Passamaquoddy Tribe, because the act applied only to tribes that had been granted federal recognition. In doing so, Wittman made a serious error. In order to scotch our claim, he need only have told Judge

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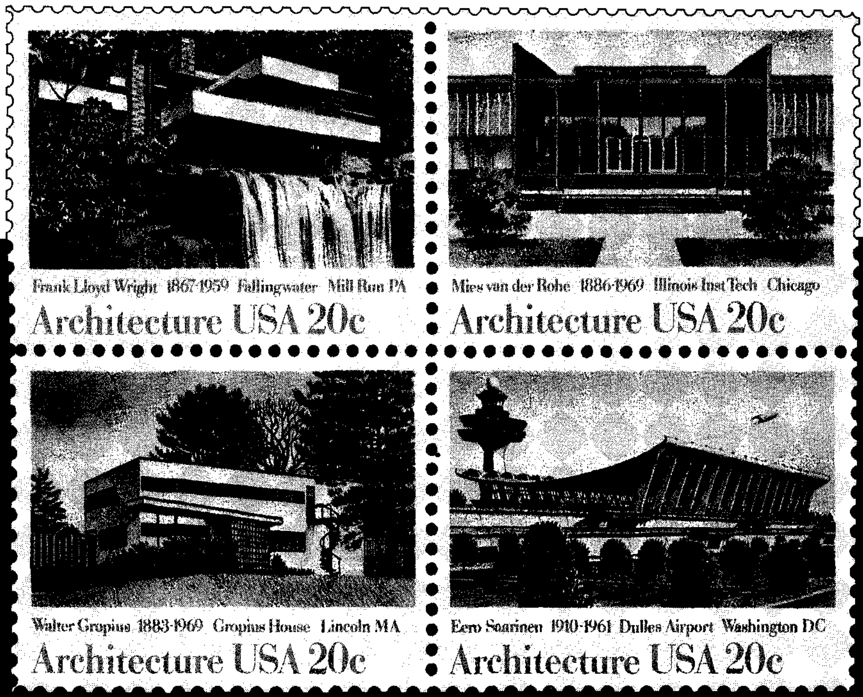
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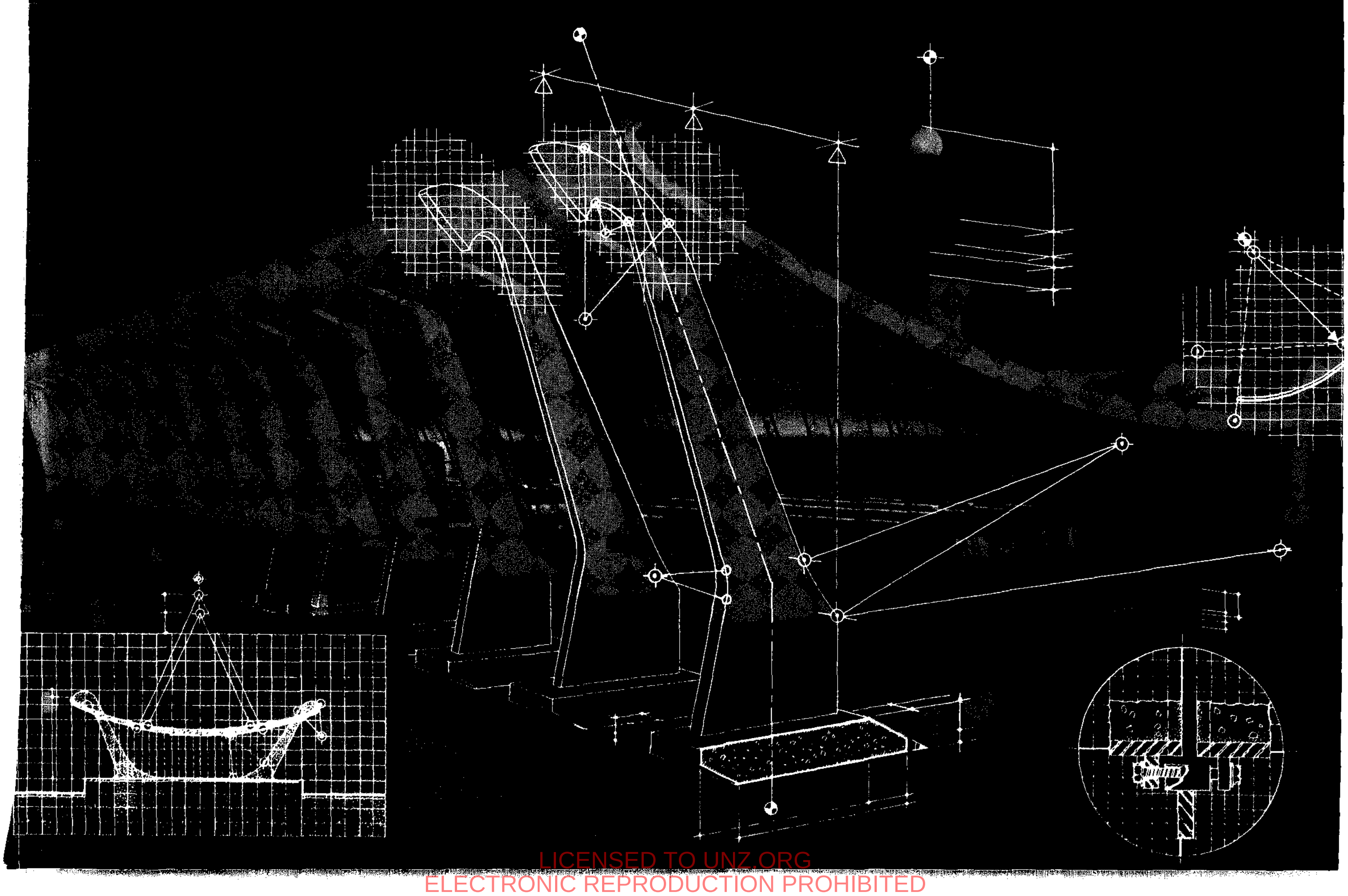

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Gignoux that the government was refusing to act on the tribe's request because the case was factually weak, or because filing the action would have been inconsistent with government policy. Instead, he substituted one legal argument for another—the allegation that the Nonintercourse act did not apply to nonrecognized tribes, as opposed to the contention that the Act applied only outside the original thirteen states—and thus confirmed that there was indeed a real controversy between the Passamaquoddies and the federal government, which Judge Gignoux had the power to adjudicate, and which would soon become moot if no lawsuit were filed on behalf of the tribe. Judge Gignoux was obviously disappointed by Wittman's response, and he pressed Wittman to explain the government's position further. Wittman replied that ordering the United States Attorney General to file such a lawsuit might do serious damage to relations between the federal government and the State of Maine. Judge Gignoux then observed that the governor of Maine and the state's entire congressional delegation had called for the action to be brought. At that point, the United States Attorney for Maine, Peter Mills, who had been sitting at the counsel table next to Wittman, jumped to his feet and declared that he, too, wanted the government to bring suit. With that, everybody in the courtroom broke out laughing, and shortly thereafter Judge Gignoux called for a recess. When he came back, a while later, he ordered the Department of Justice to file the protective action."

LATE in June, the Justice Department complied with Judge Gignoux's order by filing a hundred-and-fifty-million-dollar damage suit against the State of Maine on behalf of the Passamaquoddy Tribe. Two weeks later—one day before the statute of limitations was due to expire—the Department filed suit for the same amount in behalf of the Penobscot Nation. "In April, Francis Ranco, governor of the Penobscot Nation, had invited me to meet with the Penobscot Tribal Council at Indian Island, in Old Town," Tureen told me. "The members of the council had heard about the letter the Passamaquoddies sent to Louis Bruce at the Bureau of Indian Affairs, and they wanted to know if I thought they should also take steps to initiate a land claim. However, they were by no means persuaded that it was a good course to pursue. The turning point of the meeting came when one of the more skeptical members of the council asked me what I really thought the Penobscots could hope to get out of such a farfetched lawsuit. I replied that if everything worked perfectly the tribe might be in a position to negotiate a settlement within five years, and that a negotiated settlement could be realistically expected to bring each tribe as much as two hundred thousand acres of land, ten million dollars, federal recognition, and various federal immunities that they did not then enjoy. Some of the council members thought I was dreaming, while others worried that involvement with the feds would lead to federal control of their land. In the end, however, they authorized Governor Ranco to send Commissioner Bruce the same kind of letter the Passamaquoddies had sent him in February. After Judge Gignoux ruled in favor of the Passamaquoddies, the Justice Department saw the handwriting on the wall and agreed to file a protective action for the Penobscots. A few hours before the statute was to expire, Congress extended it for ninety days, and that turned out to be the first of many extensions. We had been seeking the extension in case the court action did not work, so when both came through we had to wonder if all the anxiety and tension of the spring had been for nothing. In retrospect, however, we realized that the statute had been a blessing in disguise. True, it had placed us under terrible pressure, but it had also been the crucial factor in influencing Judge Gignoux to order the protective action. After all, the Judge could hardly have failed to see that the Passamaquoddy Tribe would suffer irreparable damage if the courts were to decide after the statute ran out that the Indians had been entitled to federal protection all along."

Once the protective suits had been filed, Judge Gignoux ordered them held in abeyance pending the outcome of Passamaquoddy v. Morton, and in the winter of 1973, after an appeal of his earlier decision had been dismissed by the Court of Appeals for the First Circuit, he turned his attention to the Nonintercourse Act issue. What was at issue in Passamaquoddy v. Morton was perfectly straightforward. On the one hand, the plaintiffs claimed that the Nonintercourse Act applied to the Passamaquoddy Tribe and that it established a trust relationship between the United States and the Indians. On

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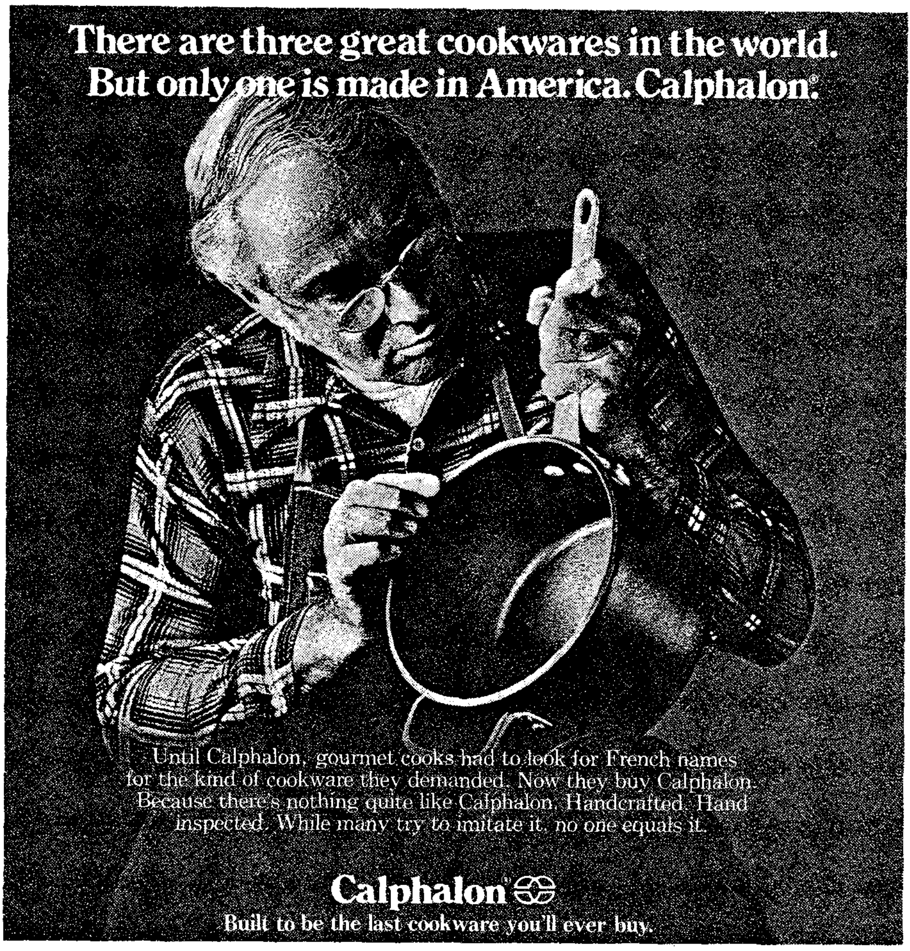
the other hand, the defendants—they now included Maine, which intervened as a party defendant—contended that the act did not apply to the Passamaquoddy Tribe, because the tribe had never been officially recognized by the federal government. The defendants also claimed that no trust relationship existed.

What was at stake was simply mind-boggling, of course, for if the case should be decided in favor of the Passamaquoddies the central issue in suits involving billions of dollars and a staggering amount of real estate would be resolved. With the protective suits in abeyance, however, the potential consequences of Passamaquoddy v. Morton remained out of public sight and mind. According to Tureen, it was not uncommon in those days to hear people in Maine saying that the Indians should be given a fair shake. "What was uncommon was to hear anybody raise the possibility that this might result in a sizable chunk of Maine being given back to the Indians," he said. "I have no doubt that many people were sincere in wanting the Indians to have their day in court. I also happen to think that just beneath the surface of all the talk about fairness lurked the comforting conviction that, as always, the Indians were bound to lose. In any event, complacency proved to be a tremendous asset for us during 1973 and 1974, because it allowed Passamaquoddy v. Morton to be litigated in a calm, almost academic manner, in an atmosphere that was entirely lacking in emotion or hysteria. During this period, for example, nobody seemed to pay much attention when the Supreme Court not only reversed two lower courts' dismissals of the land claim brought by the Oneida Indian Nation but swept away the argument presented by the County of Oneida that the Nonintercourse Act did not apply in the states that had evolved from the original thirteen colonies. Surprisingly, this atmosphere continued to prevail even when Judge Gignoux finally ruled in our favor. By that time, some of us were beginning to wonder just how long it would take for the citizens of Maine to consider the Indians' land claim seriously."

JUDGE GIGNOUX rendered his opinion in Passamaquoddy v. Morton on January 20, 1975, declaring that the Nonintercourse Act was applicable to the Passamaquoddy Tribe in spite of its lack of federal recognition, that the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act established a trust relationship between the United States and the tribe, and that the defendants could not deny the plaintiffs' request for litigation on their behalf on the ground that no such relationship existed. These findings were appealed by the defendants, and while the appeal was being argued and decided—a process that took up most of the rest of the year—the Indian land claim was again shielded from public view. Strangely, it did not surface even when the United States Court of Appeals for the First Circuit, on December 23rd, unanimously upheld Judge Gignoux's decision; indeed, this event went largely unreported by the press. Tureen and his colleagues, for their part, were delighted at the lack of fanfare. They now waited anxiously to see if the federal government or the State of Maine would petition the Supreme Court to review the appellate court's decision by March 22, 1976—the deadline for such a request. The deadline passed without a petition's being filed, and Judge Gignoux's decision in Passamaquoddy v. Morton automatically became law.

At that point, the government was confronted with the problem of deciding the extent of its trust obligation to the Indians in Maine. Within a few weeks, the Commissioner of the Bureau of Indian Affairs announced that the Passamaquoddies and the Penobscots were eligible to receive five million dollars a year in federal benefits for housing, education, health care, and other social services. At the same time, lawyers in the Solicitor's Office of the Department of the Interior quietly began to study the question of whether the government should go ahead with the protective action, and, if so, whether it should expand the scope of the suits that had been filed in the Indians' behalf, and proceed to sue the State of Maine and many of its citizen titleholders for the actual return of some twelve and a half million acres of the Indians' aboriginal territory.

Knowing that such a move was under consideration, Tureen decided that the time might be ripe to negotiate a settlement. "A negotiated settlement had always been a major part of our game plan," he told me. "It was inconceivable to me that rational people could allow a case of this magnitude to be ultimately resolved in court. Since the preliminary legal skirmishes had indicated that there was merit in the theories that underlay our case, it was

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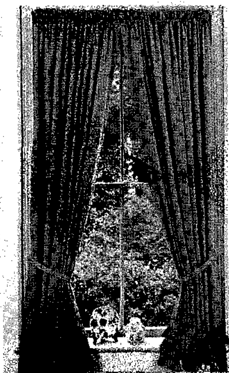
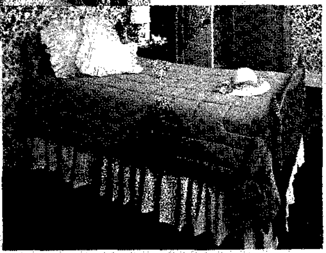
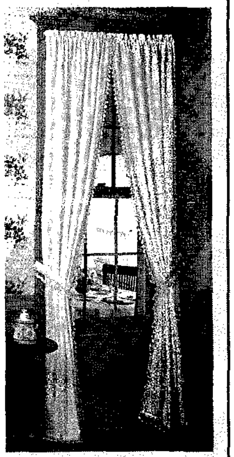

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certainly possible that the tribes might prevail upon the merits—an outcome that no responsible defendant, especially a public one, could possibly risk. By the same token, given the novelty of the claims and the inherent risk of prejudice created by their age and size, it seemed equally obvious that responsible tribal leaders would not turn down a settlement that would insure them a substantial land base. Of course, these rational assumptions of mine had to be balanced against the knowledge that while Indians had won plenty of moral victories in the courts, no tribe had ever obtained the return of any significant amount of land."

During the spring of 1976, Tureen got in touch with a number of prominent officials and attempted to discuss the case with them. The results were disappointing. Governor James Longley—an independent populist and anti-tax crusader, who had assumed office in January of 1975—refused to consider the Indian land claim a serious matter. State Attorney General Joseph Brennan—a liberal Democrat who had his eye on the governorship—was unwilling to commit himself until he saw which way the popular Longley was going. Officials of the Great Northern Nekoosa Corporation—owner of more than two million acres in the claim area, and by far the largest landholder in the state—informed Tureen that they failed to see how their company was involved in the affair. Eventually, convinced that none of these people were prepared to believe that the federal government would carry out the law and act as a proper trustee for the Indians, Tureen dropped his attempt to open negotiations and spent the summer helping the Interior Department, which was studying the historical and legal basis of his clients' claim to nearly two-thirds of the state of Maine.

By September, word that the Indian land suit included the claim that the tribes had civil jurisdiction over their ancestral territories reached Ropes & Gray—a Boston law firm that acts as legal adviser to issuers of New England municipal bonds—and toward the end of the month Ropes & Gray let it be known that it would no longer be able to give unqualified approval to municipal bonds issued within the disputed area. Within a few days, the sale of more than twenty-seven million dollars in bonds for cities, towns, hospitals, and school districts was either cancelled or delayed, and reports began to circulate that people living there might soon find it impossible to transfer real estate or get mortgages.

On September 29th, in an attempt to forestall the growing financial crisis, Governor Longley flew to Washington and met with the members of the Maine congressional delegation, who, in spite of Tureen's protest that their action was disgraceful, and might even be unconstitutional, introduced resolutions in the House and Senate directing the federal courts to refuse to hear any claim that might be brought for return of the Indians' aboriginal territory. However, Congress adjourned before the resolutions could be voted on, and the rest of the autumn was devoted to a war of nerves, whose rhetoric was reported in newspaper articles that, as often as not, were accompanied by maps showing two-thirds of Maine marked by the kind of cross-hatching used to depict zones of military occupation. To begin with, Governor Longley, who insisted on repeatedly referring to the threat to people's homes even though the tribes had repeatedly stated that they had no intention of taking anyone's home, publicly asked the Indians to limit their claims to monetary damages, and not to seek the return of any land. Tureen responded by pointing out that the Governor's request was legally impossible, since one must establish a right to possess the land before damages can be awarded. Tureen also declared that both hundred-and-fifty-million-dollar damage suits pending merely represented rent owed the Indians by the state for its illegal occupation of the land, and that it would take twenty-five *billion* dollars to indemnify the Passamaquoddies and the Penobscots fully for the loss of their aboriginal territory. Finally, Tureen offered to negotiate an out-of-court settlement that "as a matter of grace would not seek to dispossess any landowner," but this offer was turned down by Attorney General Brennan and Governor Longley. The Attorney General declared that the land claim was without merit, and that the Indians had no worthwhile legal case to bring into court. The Governor described the claim as blackmail, and said that an out-of-court settlement could pose a gross injustice to the citizens of Maine, who were innocent of any wrongdoing.

Such objections notwithstanding, when the Interior Department sent a draft of its long-awaited litigation report to the Justice Department, on

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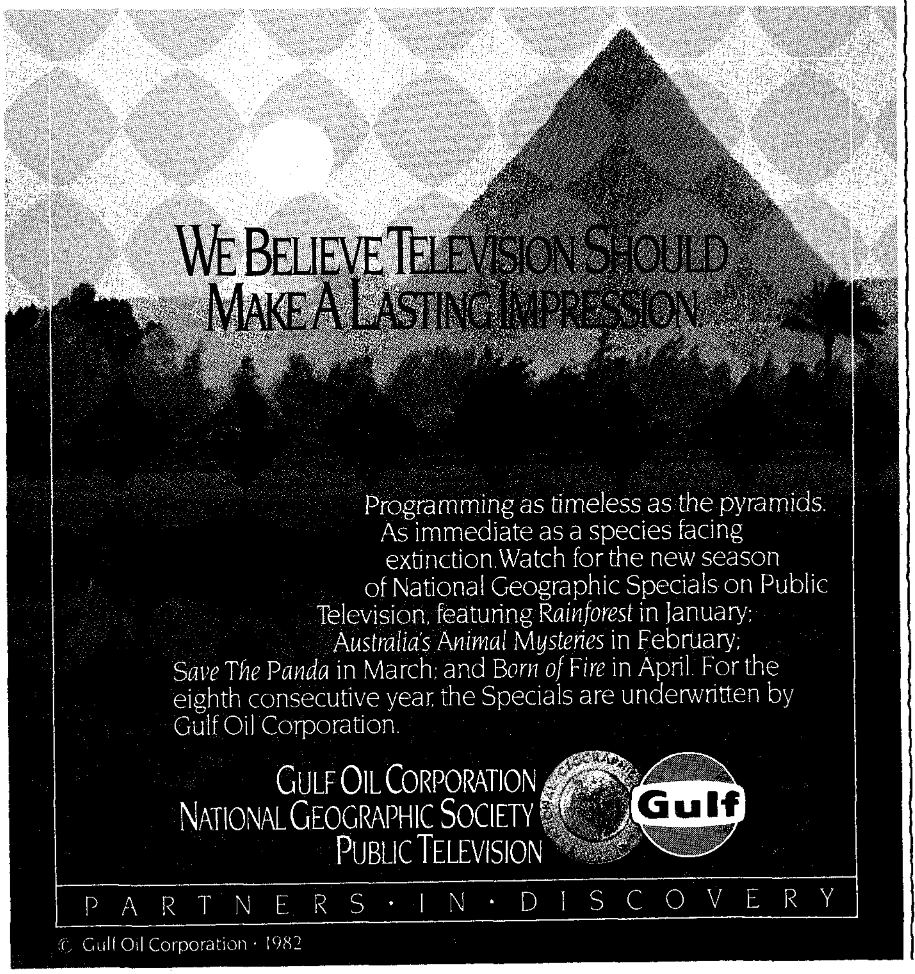

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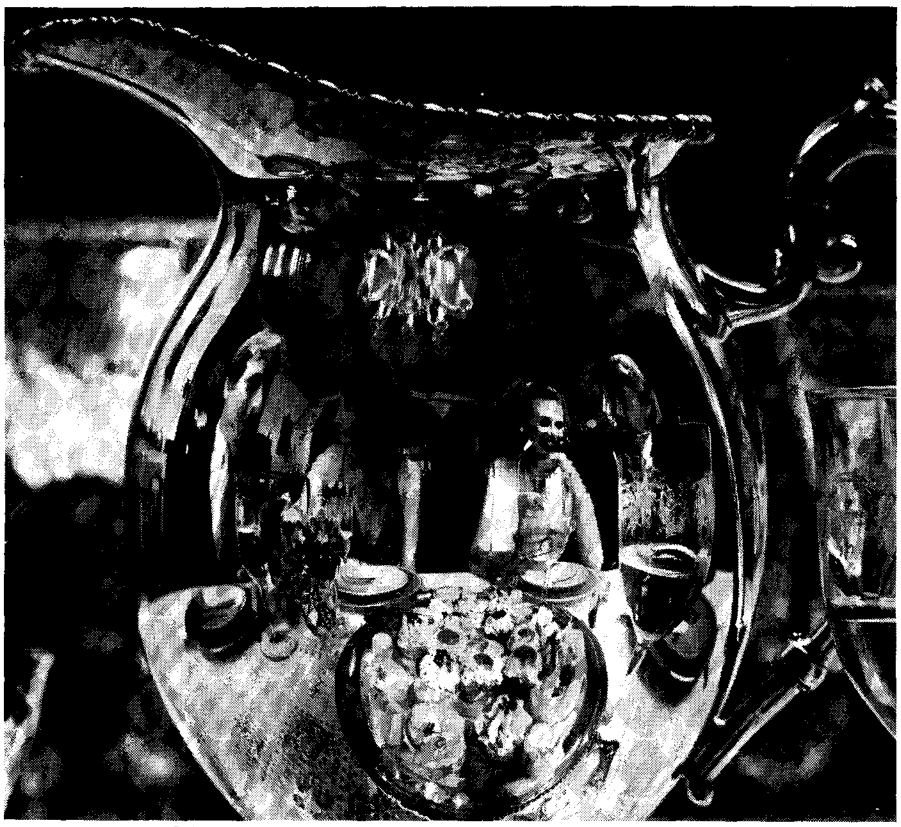
January 11, 1977, the Indian land claim suddenly made headlines in newspapers across the nation, for the report recommended that ejectment actions be filed in behalf of the Passamaquoddies and the Penobscots against the three hundred and fifty thousand people who were estimated to be living within the twelve-and-a-half-million-acre region claimed by the Indians and also against all the large paper and timber companies, whose vast holdings had long made them the dominant economic and political force in Maine. In the face of this unexpected development, Governor Longley and Attorney General Brennan quickly issued statements pointing out that the proposals of the Interior Department would be subject to review by the incoming Carter Administration. Then the Governor appealed to the Indians to accept a substitute lawsuit in which they could win only the difference between what they had been paid for their lands nearly two hundred years earlier and what they should have been paid according to the fair-market values of that time. Meanwhile, the Attorney General asked the members of the Maine congressional delegation to introduce a bill that would force such a substitution on the Indians. Brennan's action drew a bitter response from Tureen, who was quoted in the Bangor *Daily News* the following day as saying, "The attorney general would have Congress unilaterally extinguish the Indians' property rights, lock them out of the federal courts, and shunt them into the Indian Claims Commission. Apparently, he feels that the state need only live within the legal system so long as it doesn't prove burdensome, and that when it does the state can either ignore the law or retroactively change it."

When the Interior Department's request for litigation on behalf of the Indians reached the Justice Department, it went to the desk of Peter Taft—a grandson of President Taft and a nephew of Senator Robert Taft—who had been appointed head of the Land and Natural Resources Division at the Justice Department by President Ford. A tough-minded and principled attorney, who was widely respected within the department, Taft immediately came under heavy pressure from Maine's senior senator, Edmund S. Muskie, to back away from the issue, but he refused to do so. Instead, in a lengthy memo to Judge Gignoux, he set out in detail his reasons for rejecting the state's arguments. He said that the Indians had a valid legal claim to between five and eight million acres of forestland in northern Maine, and announced that unless an out-of-court settlement was reached by June 1st he intended to file test lawsuits against a limited number of major landowners; that meant the giant timber and paper companies, whose holdings in the claim area constituted the largest contiguous privately owned forest in the world. He closed by urging an out-of-court settlement, and by describing the Indian claim as "potentially the most complex litigation ever brought in the federal courts, with social and economic impacts without precedent, and incredible potential litigation costs to all parties."

Toward the end of February, the predicament of the lawyers at Justice was eased somewhat when the Passamaquoddies and the Penobscots agreed not to press their claims for two million acres of heavily populated land along the coast of Maine, on the condition that legislation be passed by the federal government allowing them to sue "an appropriate sovereign" for the monetary value of the land and for trespass damages. And, as a further indication of their willingness to compromise, the Indians agreed not to include in any such substitute remedy their land or damage claims against any homeowner or other small-property owner anywhere else in Maine. On the other hand, they would not relinquish their claim for the return of millions of acres of forestland held by Maine's giant landowners, or the six hundred thousand acres still held by the state itself, which the Justice Department intended to include in its test suit.

On March 1st, the Maine congressional delegation responded to the Justice Department's announcement by introducing identical bills in the House and Senate to extinguish all aboriginal title that might be held by the Passamaquoddy and Penobscot tribes and to limit to monetary damages any claim that the Indians might bring. (In addition to Senator Muskie, the delegation now included Senator Hathaway, who had defeated Senator Smith in 1972; Representative William Cohen, who won the seat vacated by Hathaway that same year; and Representative David Emery, who had defeated Kyros in 1974.) A few days later, Senator James Abourezk, of South Dakota, the chairman of the Senate Select Committee on Indian Affairs, denounced the proposed extin-



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guishment legislation as "a very one-sided attempt to obviate and preclude any just claim on the part of the tribes." After commending the Indians for their efforts to negotiate the issue in a reasonable manner, Abourezk declared that he would not hold hearings on the bill. Shortly thereafter, to the vast relief of practically everyone involved, President Carter announced that he was appointing William B. Gunter, a fifty-seven-year-old Georgia Supreme Court justice who was about to resign, as his special representative to evaluate the claims.

FROM Tureen's point of view, the entry of the White House into the land-claim case could not have been more timely or fortunate. "In the winter of 1977, we found ourselves sailing into some very deep and uncharted waters," he said recently as he recalled the events that preceded President Carter's decision to intervene. "Ever since the bond crisis of the previous autumn, Governor Longley had taken an increasingly hard-line and demogogic approach to the problem—accusing the Indians of blackmailing the innocent people of Maine, and so forth—and he had become phenomenally popular in the state as a result. In fact, by the end of 1976 the Governor was well on his way to building himself a constituency made up of virtually all the white property owners and paper-mill workers in Maine. The lesson in all this was hardly lost on Attorney General Brennan, who wanted to succeed Governor Longley in the State House in Augusta—or, for that matter, on the members of the Maine congressional delegation, whom Brennan was putting pressure on to pursue legislation that would wipe out the Indians' claim for return of land."

In December, fearing that an attempt to extinguish the claim was imminent, Tureen decided to look for help to counteract it. "We needed a strong ally with impeccable legal credentials and incontestable integrity," he said. "With that in mind, I picked up the telephone one morning and called Professor Archibald Cox, of the Harvard Law School, who, because of his role as the first special prosecutor in the Watergate case, had come to be widely regarded as symbolizing the best in our legal system. After telling him a bit about the land-claim case in Maine, I asked if I might come and talk with him. He said yes, so the next

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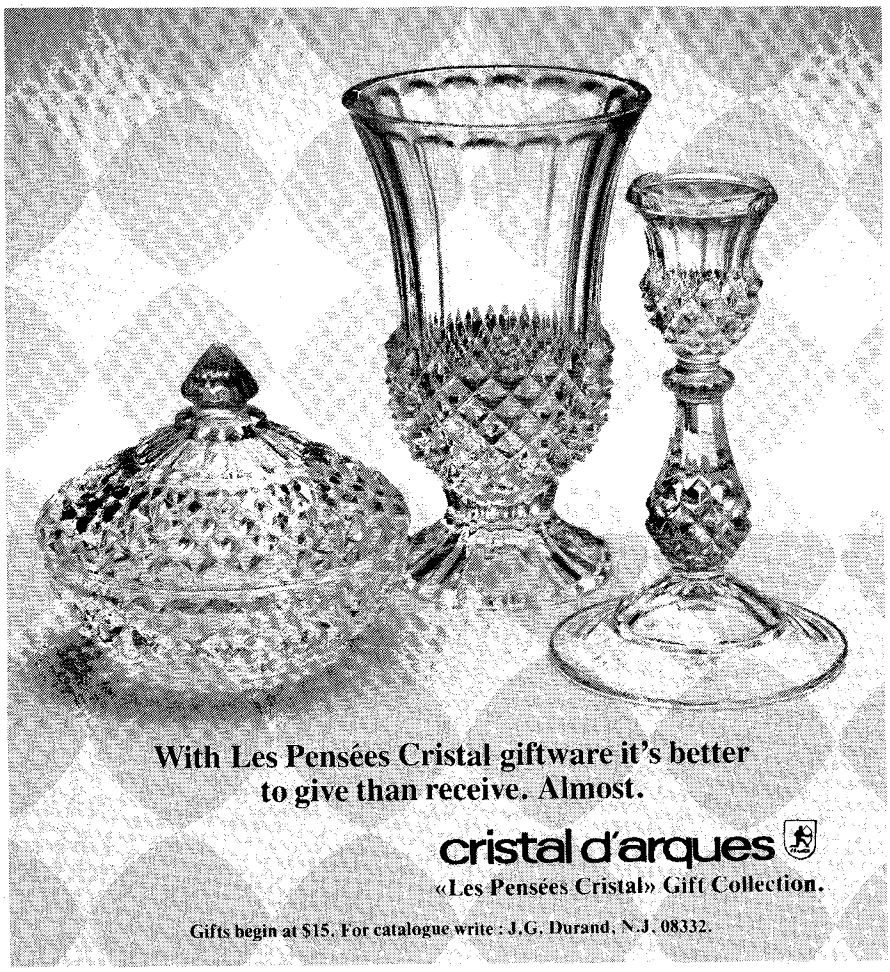
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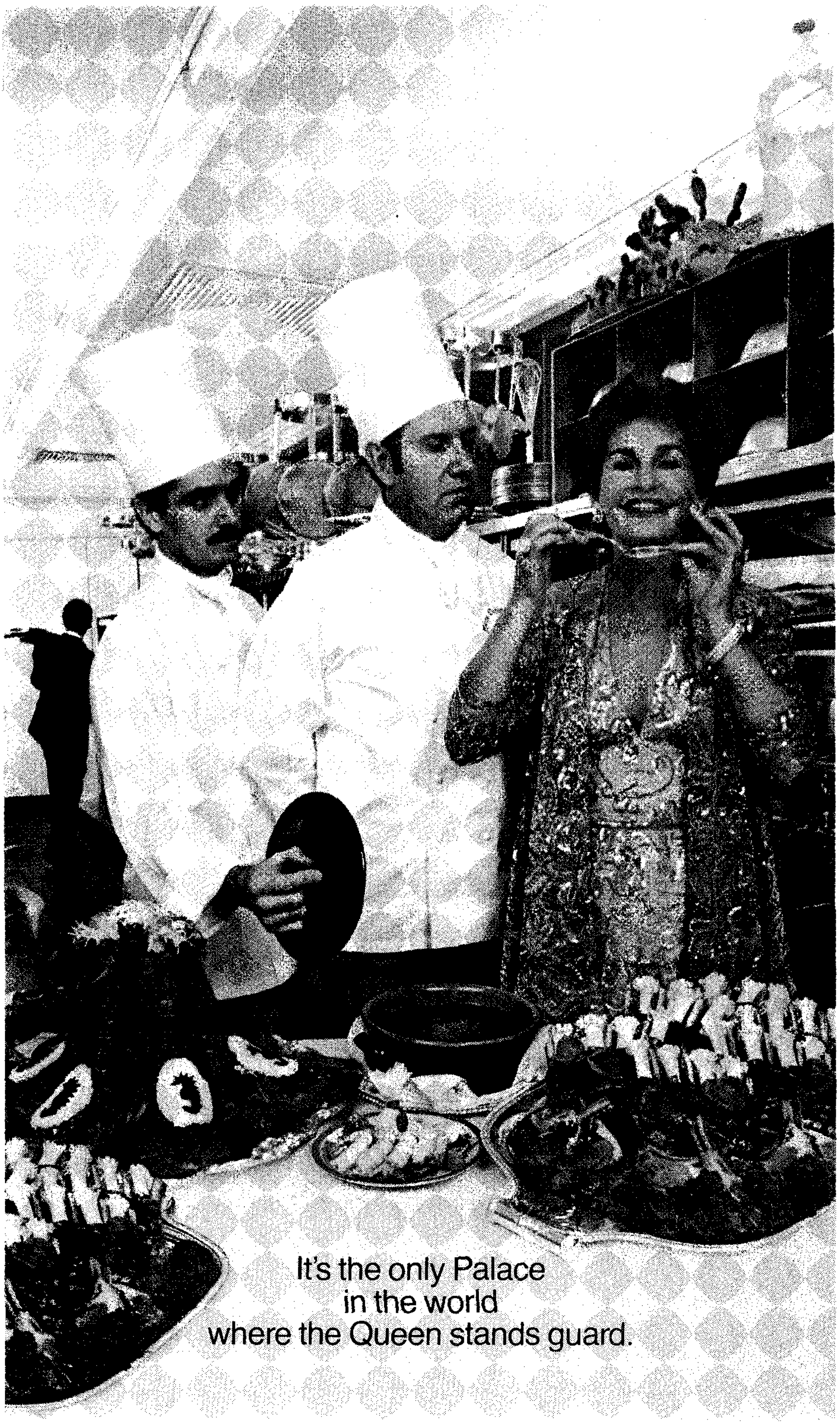
day Barry Margolin and I climbed into my airplane—I had bought it in 1974, in order to get around to my far-flung clients—and flew to Boston. When we arrived in Cambridge, I told Professor Cox that something disgraceful for our nation was being cooked up in the form of legislation to extinguish the Indians' right to reclaim their land, and that I needed his help to defeat it. He told me he would think the matter over. A few weeks later, he agreed to volunteer his services as co-counsel, saying that the Indian land claim was something that involved the national honor.

"When it was announced that Professor Cox had joined us, Governor Longley held a press conference and accused me of orchestrating a public-relations campaign through the news media in an attempt to force an out-of-court settlement of the case. Not long afterward, the Governor announced that he had retained Edward Bennett Williams, the Washington trial lawyer, to represent him in the matter and to act as his personal representative in dealings with the White House and the Department of Justice. That was fine with me, because it meant that Governor Longley would at long last be getting some first-rate legal advice. As for President Carter, he had decided by then to get his legal advice on the land case from Judge Gunter, a man he knew and trusted. Can you imagine the President's dilemma at that point? There he was, brand-new to office, deeply mistrustful of the Washington establishment, and suddenly facing one of the largest, most complex, and politically sensitive lawsuits ever to hit the federal judiciary. What he desperately needed to know from Judge Gunter was whether the Maine Indian claims constituted bona-fide lawsuits that the tribes might win in court, and that the federal government should help settle out of court, or whether they were frivolous claims that would certainly be dismissed by the court. My colleagues and I were delighted to have Judge Gunter on the scene. We had felt from the very beginning that if the land-claim case went our way in court it would eventually have to be settled with public funds, and now that push was finally coming to shove we were hopeful that once the government found itself in a position of having to choose between bringing suit against three hundred and fifty thousand citizens of Maine—a form of legal cannibalism—and contributing to an out-of-court settle-



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ment, it would opt for the latter course."

During the next three months, representatives of both sides met with Judge Gunter on several occasions in the White House and provided him with a great deal of legal and historical material to support their differing positions. "The basic argument set forth by Professor Cox, Stuart Ross, and me was that, thanks to the court's decision in Passamaquoddy v. Morton, the Indians had a good legal claim to between five and ten million acres of land in Maine," Tureen said. "We told Judge Gunter that the tribes were willing to negotiate a fair out-of-court settlement, but only on the condition that it include a significant land base for them. We also warned him that any attempt to extinguish the Indian claim without the agreement of the tribes would bring disgrace upon the Carter Administration and the nation. Attorney General Brennan, on the other hand, told Judge Gunter that the federal government had not defended itself adequately in Passamaquoddy v. Morton, and cited new evidence assembled by Professor Ronald Banks, a historian at the University of Maine, to support the contention that the Nonintercourse Act did not apply to the Passamaquoddy and Penobscot tribes but only to Indians living west of the frontier that existed in 1790. When all was said and done, however, Judge Gunter had not been brought in to decide the legal merits of the case. He had been brought in to figure out what our chances of winning might be, and to put a price tag on a settlement. He soon found out that that was not going to be easy. At our second meeting, early in April, he raised the question of money as if it were going to pose a major problem. Professor Cox and I told him that if that was the case we were perfectly willing to take eight million acres and skip the cash. Judge Gunter nearly fell out of his chair. I think it may have been the first time he realized that we meant business. Up to that point, he had been extremely cordial, but from then on he was rather testy. I could hardly blame him. On the one hand, he had to face the fact that our clients had a claim worth billions of dollars and at least a fifty-fifty chance of winning the case in court. On the other hand, he knew very well that the President's Office of Management and Budget was not going to let him give away the federal treasury in order to settle the case out of court. In the end, he had no choice except to pick some numbers out of his hat and come down somewhere in the middle."

On July 15th, Judge Gunter sent President Carter a four-page report that contained an analysis of the land-claim dispute and a solution to it. To begin with, Judge Gunter concluded that the Indian lawsuits, because of their potentially devastating economic impact on the state of Maine, should not be allowed to proceed to trial. Then, after pointing out that the federal government was primarily responsible for creating the problem, he advised the President to recommend that Congress take certain steps: appropriate twenty-five million dollars for the use and benefit of the Passamaquoddy and Penobscot tribes; require the State of Maine to put together and convey to the federal government, as trustee for the two tribes, a hundred-thousand-acre tract of land within the claim area; assure the tribes that normal Bureau of Indian Affairs benefits would be provided to them in the future; request the state to continue providing benefits to the Indians worth just over a million dollars a year; and require the Secretary of the Interior to use his best efforts to acquire long-term options on four hundred thousand more acres in the claim area, which could then be bought by the tribes at fair market value with their own funds. Judge Gunter recommended that if the two tribes refused to accept these proposals Congress immediately extinguish their aboriginal title to all privately owned lands within the claim area, more than ninety-five per cent of the total claim, and allow the Indians to sue for only some five hundred thousand acres held in public ownership by the State of Maine. Gunter went on to recommend that if, conversely, the state refused to accept his proposals, Congress pay twenty-five million dollars to the Indians and then proceed to extinguish their claim to all privately owned lands, with the idea that they would still be able to sue Maine for the public lands that remained.

As might be expected, Judge Gunter's proposals for settling the land-claim case received mixed notices. At first look, President Carter found them to be "fair, very judicious, and wise." The members of the Maine congressional delegation were somewhat less enthusiastic; they issued a statement describing the plan as "an initial step toward resolution of a very complex issue." Elsewhere on Capitol

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Hill, reactions ranged from that of Senator Abourezk, who accused Judge Gunter of "recommending that the legal rights of the Indian Tribes be arbitrarily taken away by Congress," to that of Representative Teno Roncalio, of Wyoming, the chairman of the House Indian Affairs Subcommittee, who urged the tribes not to reject the proposals out of hand and warned them about the possibility of an anti-Indian backlash in Congress. Attorney General Brennan, for his part, was gratified that the federal government would be footing the bill for the twenty-five-million-dollar fund and that privately owned lands would be protected, but he was extremely unhappy about the state's being required to contribute a hundred thousand acres—a fifth of its landholdings within the claim area—to the settlement. Governor Longley, who was also distressed by this requirement, called on President Carter to apply the same human-rights standards he advocated in international affairs to the resolution of the land-claim case in Maine, and declared that any out-of-court settlement should be the sole responsibility of the federal government. President Carter was taken to task for a different reason by five former Commissioners of the Bureau of Indian Affairs, the president of the Maine Bar Association, and a number of civil-rights and human-rights activists. They were among seventy-five people recruited by Suzan Harjo, a lobbyist for NARF in Washington, who was a close friend of and adviser to Tureen, and they signed a telegram that urged President Carter to reject Judge Gunter's plan. "IT IS UNFORTUNATE ENOUGH THAT JUDGE GUNTER DID NOT SERVE AS A MEDIATOR," the telegram read, in part. "BUT TO SAY THAT THE INDIANS MUST ACCEPT HIS PROPOSAL OR FACE EXTINGUISHMENT OF THEIR CLAIMS BY THE POLITICAL BRANCHES IS TO MAKE A MOCKERY OF THIS NATION'S LEGAL AND MORAL OBLIGATIONS TO INDIANS AND TO TELL THE WORLD THAT THE UNITED STATES IS UNWILLING TO ABIDE BY THE DICTATES OF ITS OWN LEGALLY CONSTITUTED COURTS." Perhaps the most down-to-earth comment came from Francis Nicholas, governor of the Passamaquoddies at Pleasant Point, who was also upset by Judge Gunter's extinguishment recommendation. "We spent five years getting the courts to force the federal government to act as our trustee," Nicholas observed. "Now this man says that if we don't

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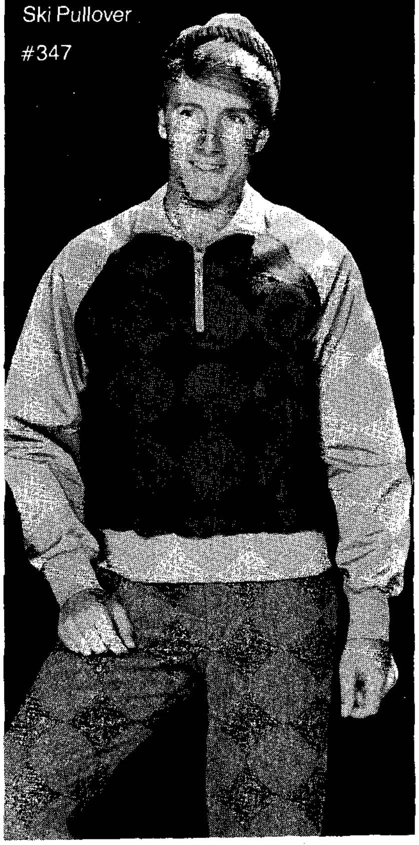

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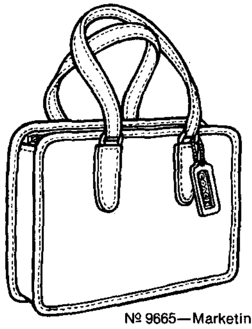

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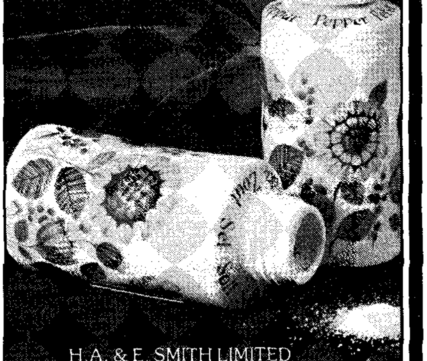

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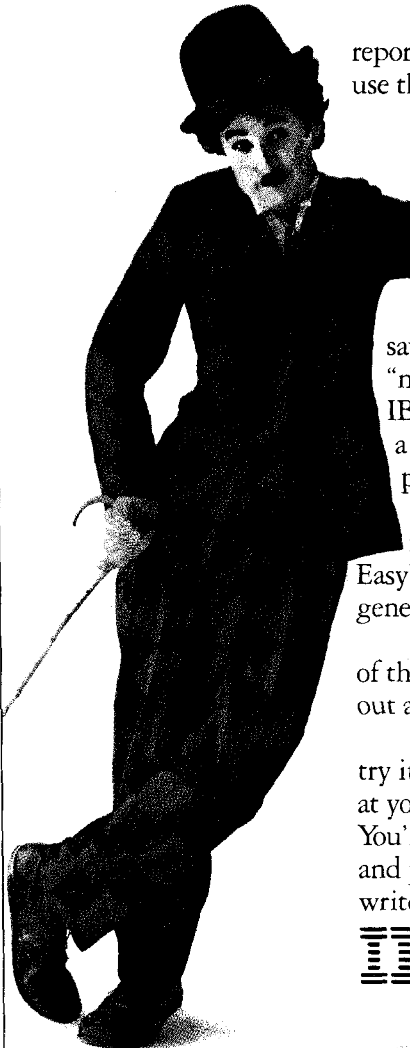
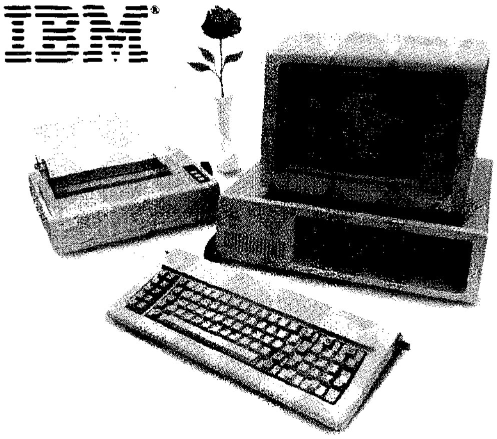
accept his terms, the President should protect the big timber companies by taking away our rights. I just don't understand it."

Tureen's view of Judge Gunter's recommendations was both positive and negative. "On the plus side, I looked at them as providing a point of departure for serious negotiations," he said. "And not a bad starting point at that. After all, a hundred thousand acres was far more than any other Indian tribe had ever won, and twenty-five million dollars was at least eighty times as much as my clients could ever have hoped to be awarded in an Indian Claims Commission proceeding. Moreover, I felt sure that if we could just get to the bargaining table we would be able to improve upon the offer, simply because Judge Gunter's recommendations contained some elements that greatly enhanced our position. For one thing, he had obviously acknowledged that the Passamaquoddies and the Penobscots had a substantial claim to land in Maine. And, even more important, he had adopted my clients' basic premise that there could be no settlement without a significant amount of land. This was a crucial concession, because terms such as these had never been agreed to by the government in an Indian case. For these contributions, Judge Gunter should have been highly commended. As for his take-it-or-leave-it threat to wipe out most of the claim if the Indians did not go along with his plan, that was another matter. Judge Gunter was there reverting to the highly prejudiced theory of law that had been brought to North America by the Europeans, who, practically from the moment they arrived on these shores, took the position that they could terminate the Indians' aboriginal title at their pleasure. What Judge Gunter was proposing was that if the two tribes refused to accept his deal the government should retroactively validate all the grossly unfair and illegal transactions by which Massachusetts and Maine had ripped off millions of acres of the tribes' land in direct violation of the Nonintercourse Act. Judge Gunter was playing the role of the godfather. His proposal was presented as an offer we could not refuse. It seemed to us that the very fact that he could recommend something so unconstitutional was a pretty good indication of the extent to which the Maine Indian-land-claim case was pushing the limits of the judicial system, and of how close the keepers of





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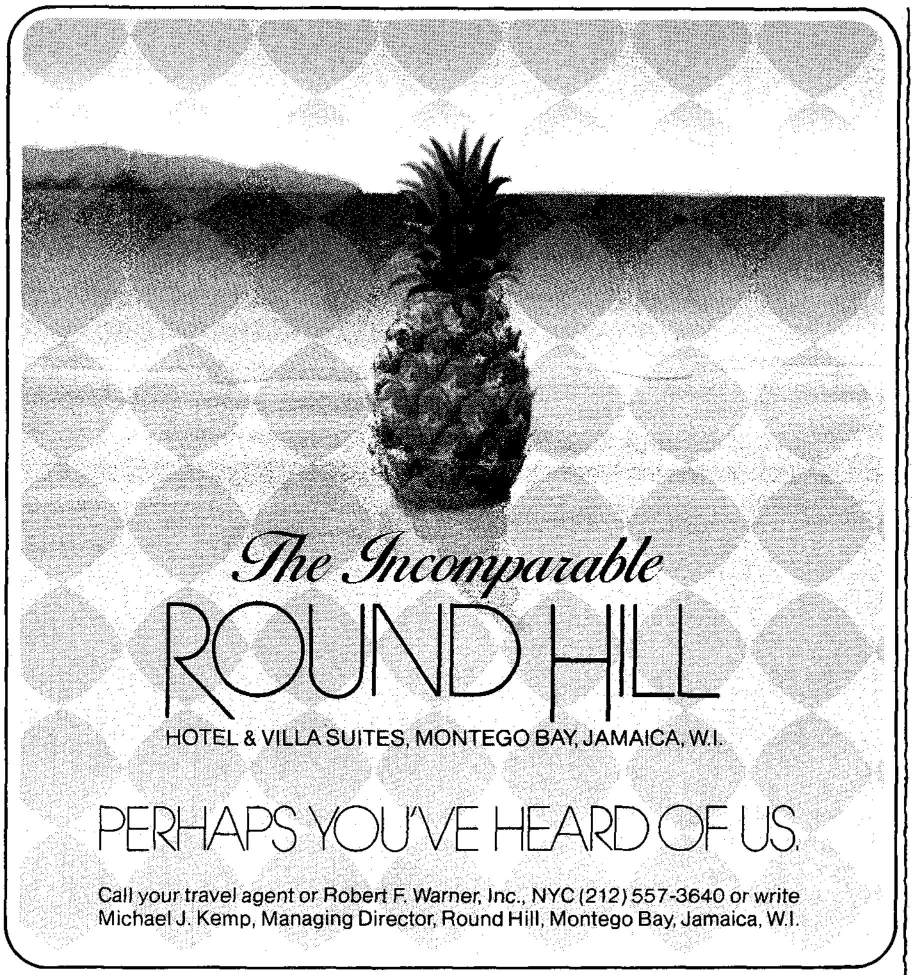
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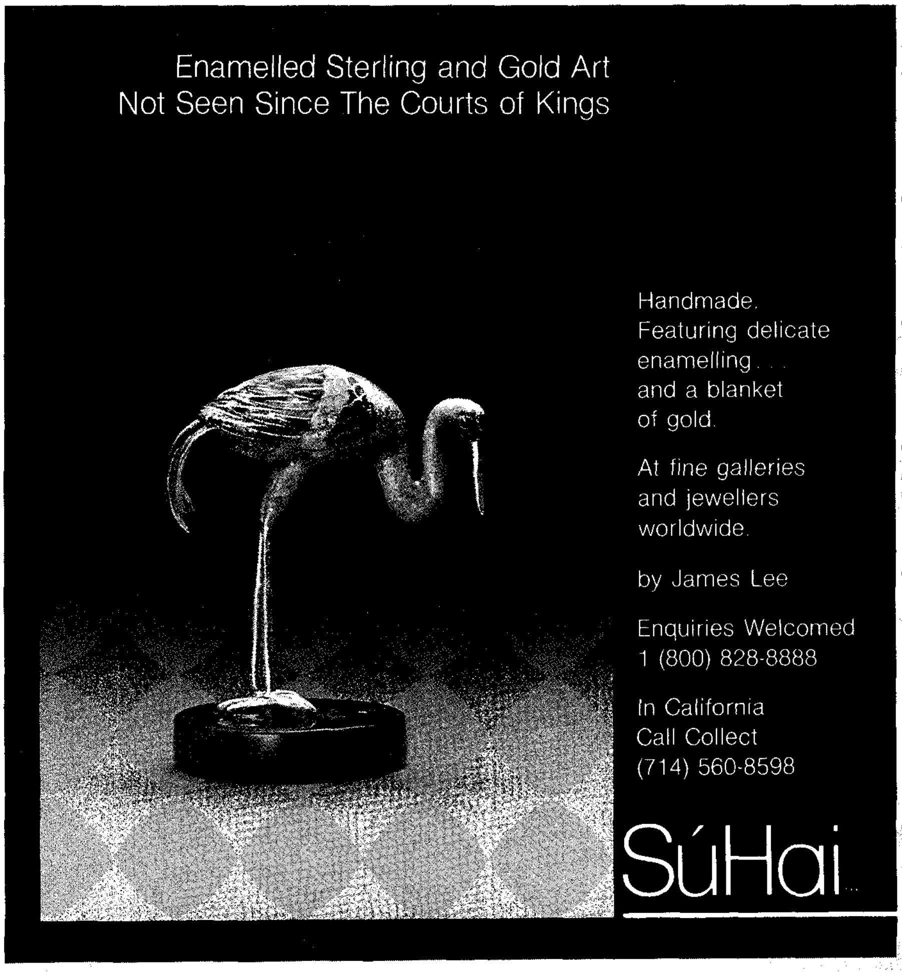
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that system were to abandoning their principles. The Passamaquoddies and the Penobscots were now being warned, in effect, that if they pushed the federal government any further, it would resort to the tactics of the frontier days. In that event, the Indians would have found themselves reliving the invasion of North America by the white man. Thanks to President Carter, this did not happen. The President, who obviously felt compelled to treat the Indians honorably, backed away from this aspect of Judge Gunter's recommendations, and the White House announced the creation of a three-man task force to sit down and talk with them."

President Carter's task force, which was known as the White House Work Group, was appointed in October of 1977, even as rumors were circulating in Washington that Edward Bennett Williams, who would soon withdraw from the case, had advised Governor Longley and Attorney General Brennan to settle the land-claim dispute rather than risk a catastrophic loss in court. The Work Group was made up of Eliot R. Cutler, a native of Bangor and a former legislative assistant to Senator Muskie and then the associate director for Natural Resources, Energy, and Science at the Office of Management and Budget; Leo M. Krulitz, the Solicitor of the Department of the Interior; and A. Stephens Clay, a Washington attorney who was a partner in Judge Gunter's law firm. Over the next several months, the group held eight meetings with an eleven-man Passamaquoddy-Penobscot Negotiating Committee, which included the tribal governors of the Passamaquoddy reservations at Indian Township and Pleasant Point, the tribal governor of the Penobscots, and eight other members of the two tribes, who had been elected to serve on it by their tribes. The meetings, which were boycotted by the State of Maine, took place in the West Wing of the White House and in the Old Executive Office Building, and although they initially dealt with technical questions involving the kind of assistance that would be extended to the tribes by the Bureau of Indian Affairs, they were almost immediately expanded to include the Indians' land and damage claims.

"Late in October, when we got down to realistic bargaining, we told the Work Group that the hundred thousand acres proposed by Judge

Gunter would not provide a sufficient land base for the two tribes, and was simply unacceptable," Tureen said. "We asked, instead, for five hundred thousand acres. The Work Group came back with an offer of two hundred and twenty-five thousand acres, and in the end we compromised at three hundred thousand. The big question was, of course, where was all this real estate going to come from? At that point, the White House people proposed that the additional land be acquired from the holdings of the large paper companies, which until then had been allowed to remain pretty well out of the whole dispute. Since it had been obvious for some time that the paper and timber companies, which owned vast unoccupied areas in Maine, would undoubtedly be major defendants in any lawsuit, we were only too happy to go along with this idea. The result was a joint memorandum of understanding between the Passamaquoddy-Penobscot Negotiating Committee and the White House Work Group, which was signed in early February of 1978."

Under the terms of the joint memorandum of understanding, the Carter Administration agreed to ask Congress for legislation to provide the Passamaquoddy and Penobscot tribes with twenty-five million dollars for their trust fund. In return, the two tribes agreed to the extinguishment of their claim against all titleholders with fifty thousand acres or less in the claim area. This agreement would have automatically cleared title to more than nine million acres in the twelve-and-a-half-million-acre region that had been deemed to be the Indians' aboriginal territory. What remained in dispute was three hundred and fifty thousand acres held by the State of Maine and approximately three million acres held by fourteen large private landholders, including the Great Northern Nekoosa Corporation, the International Paper Company, the Boise Cascade Corporation, the Georgia-Pacific Corporation, the Diamond International Corporation, the Scott Paper Company, and the St. Regis Paper Company. Under the terms of the memorandum, the two tribes agreed to dismiss their claims against Maine in exchange for the assurance that the state would continue to appropriate a million seven hundred thousand dollars a year for them over the next fifteen years. As for the fourteen large private landholders, the Indians agreed to dismiss all tres-

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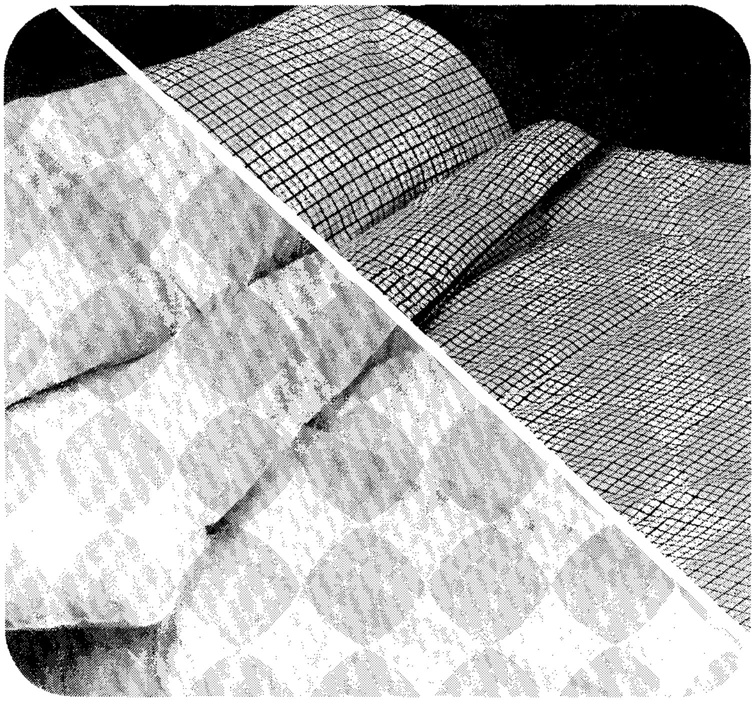

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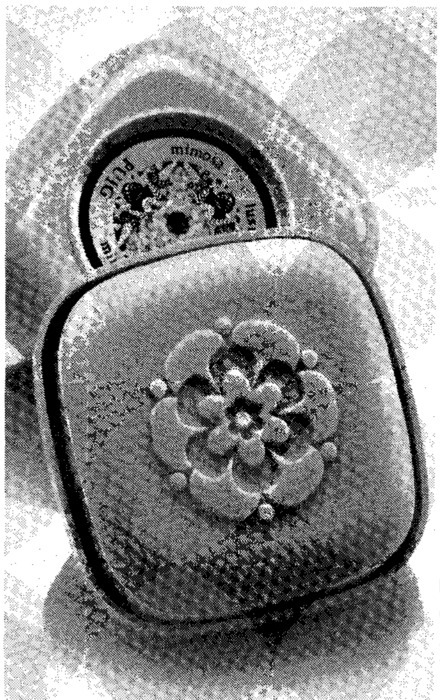

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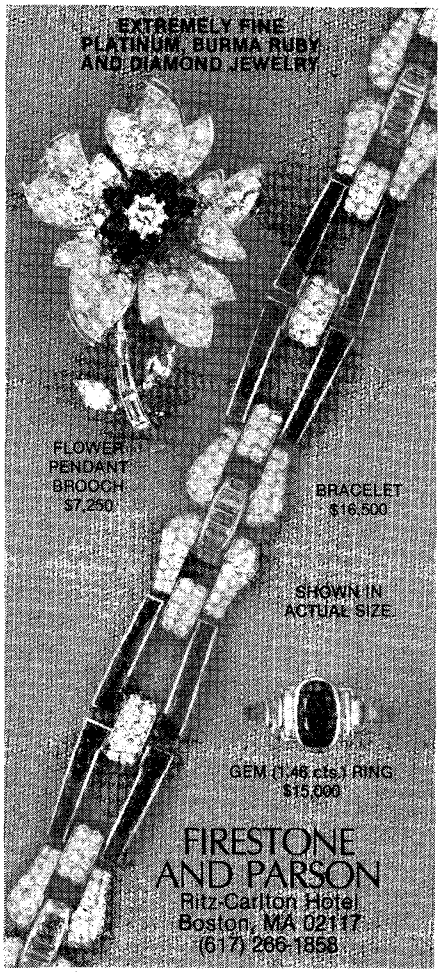
pass claims against them in return for three hundred thousand acres of average-quality timberland and long-term options to buy two hundred thousand acres more at fair market value. To facilitate this part of the bargain, the Carter Administration agreed to recommend that Congress pay a million and a half dollars to the landholders contributing acreage and options to the settlement package—a sum that *came to about five dollars an acre*—and to contribute three and a half million dollars more for the two tribes in order to help them exercise the long-term options.

Reaction in Maine to the joint memorandum of understanding, which soon became known throughout the state as the White House Plan, ranged from expressions of outrage to calls for violence. One lawmaker in Augusta vented his wrath on the members of President Carter's Work Group by declaring that "someone should get a gun and shoot those bastards." A state senator from the claim area announced that he was going to "invest heavily in Winchesters and Remingtons." Attorney General Brennan said that the recommendations of the memorandum were "irresponsible and indefensible." Governor Longley accused the Carter Administration of treating the state's officials "very shabbily." He described the proposed settlement as the "second dealing of a stacked deck," and likened the plan to something that could be expected to emanate from Red China. Samuel Casey, the chairman of the Great Northern Nekoosa Corporation, rejected the plan on the ground that it discriminated unfairly against his company, and members of the United Paperworkers International Union sent postcards to members of the Maine congressional delegation opposing the settlement because it might have an adverse economic impact on the paper industry. As for the delegation, it was sharply divided on the proposal. Representatives Cohen and Emery attacked the plan as an attempt to pit small landowners against the large paper companies, while Senators Muskie and Hathaway urged state officials to give it serious consideration. A further indication of the explosiveness of the issue occurred when Senator Hathaway, who said that the plan provided a fair approach, offered to act as broker in an out-of-court settlement and proposed that the government's per-acre payments to the paper companies and other larger



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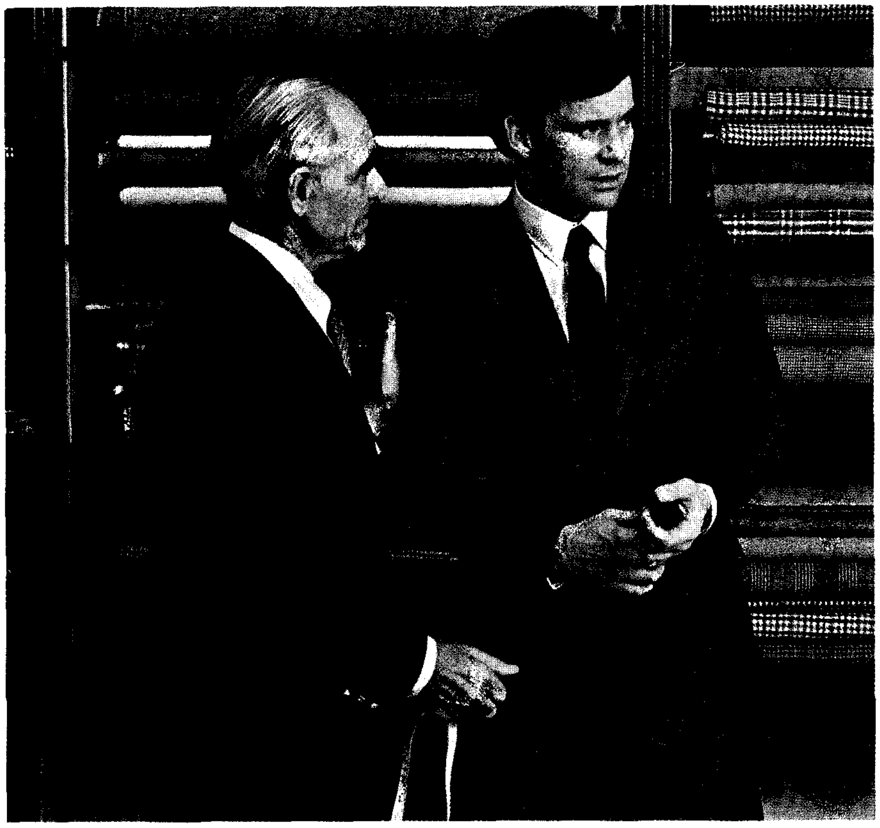
landowners be substantially increased: he was immediately the target of a public attack by Governor Longley, who accused him of advocating a giveaway of private land and tax dollars.

Aware that little progress could be made in settling the land-claim case in such an environment, Tureen and his Indian clients spent the rest of the winter waiting for the protest to subside and the political infighting to die down. "It was a very nasty and disillusioning period in Maine," Tureen said. "Indian children were harassed at school, there was a big run on guns at the sporting-goods stores, and after a number of threats were made against my life I even carried a gun myself for a while. The chief reason for all the bitterness was that the agreement we signed with the White House people had greatly strengthened our hand. For one thing, it contained the unwritten but evident understanding that unless the large paper companies agreed to an out-of-court settlement the Justice Department would proceed to file suit against them. For another, it contained a tacit agreement on the part of President Carter to support a negotiated settlement of the problem, as opposed to Longley's plan to extinguish the claim. This effectively killed the chances for such a wipeout, because it would have to be accomplished over a Presidential veto—something that, as a practical matter, was politically impossible. The President made his position on this score very clear at a town meeting he held in Bangor, on February 17th, when he stated that he would veto any legislation that was not the product of negotiations and that attempted to abolish the Indian-land-claim suit. At that point, no public figure in Maine should have doubted that the President had decided not to follow Judge Gunter's recommendation for extinguishment. The trouble was that many of the state's politicians had by then determined that the best way to make political hay in the coming November elections was by taking a hard-line, anti-Indian stand on the land-claim issue."

During the early spring of 1978, a great deal of maneuvering occurred as both sides in the dispute sought to influence public opinion. Representative Cohen, who had decided to run for the Senate against Hathaway, charged that the White House had allowed Tureen to formulate the terms of the proposed settlement, and called for a Supreme Court ruling on the



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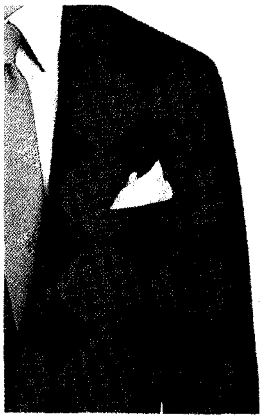

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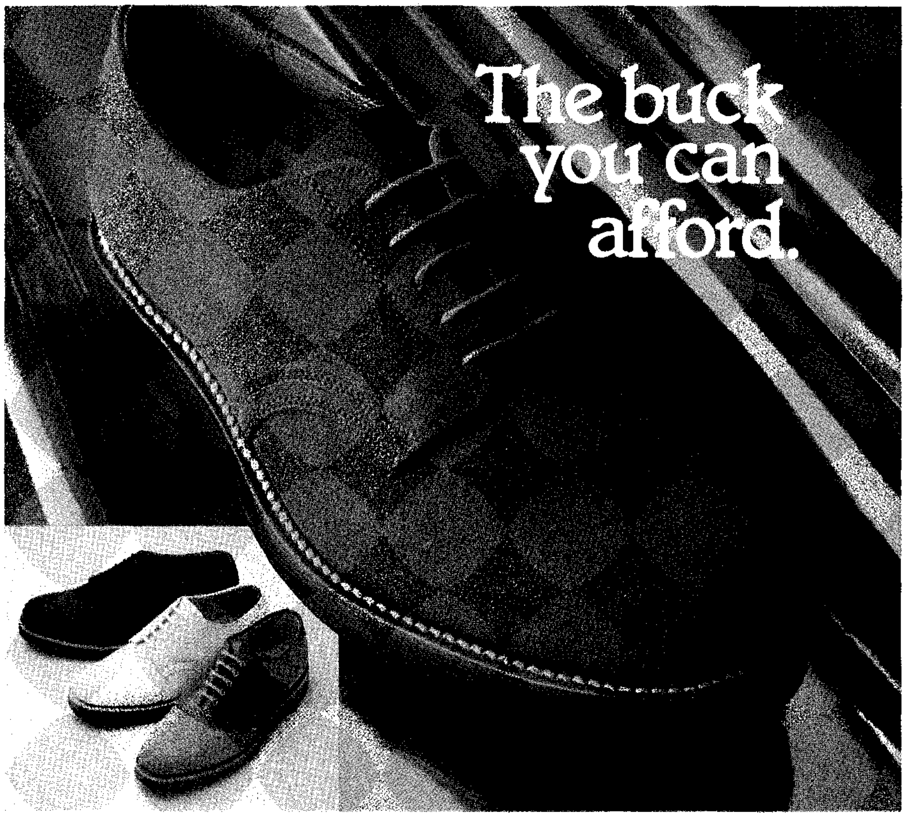
applicability of the Nonintercourse Act to the Indians in Maine. Tureen responded by reminding Cohen that if the court ruled in favor of the tribes there would be little incentive for them to settle for only three hundred thousand acres, since they would then be free to press for return of the entire twelve and a half million acres of their aboriginal territory. Attorney General Brennan, who had announced his candidacy to succeed Governor Longley in January, reiterated his belief that the Indian lawsuit was unsound and that the proposed settlement was unfair to large landholders. Tureen countered by suggesting that if that was the case the state should offer to defend the paper companies in court and indemnify them if they lost. Tureen went on to point out that if the chances of the Indians' winning were really, as Brennan had claimed, "so remote as to be inconceivable," such a proposal could not conceivably cost the state any money. This was too much for Longley, who issued a statement attacking Tureen for making proposals that would take unfair advantage of Maine's taxpayers.

Late in April, the land-claim case took a new turn when, after a plea from Presidential Counsel Robert Lipshutz, Governor Longley and Attorney General Brennan did an abrupt about-face and declared that they were ready to open negotiations with Tureen and the tribal negotiating committee for an out-of-court settlement. Talks began on April 26th but soon broke down over the question of whether the Passamaquoddy and Penobscot tribes should be exempt from state taxes and from state criminal and civil laws, and Governor Longley stalked out of the final meeting charging that the Indians were conspiring to establish "a nation within a nation." With the negotiations at an impasse, United States Attorney General Griffin Bell decided in June that the Justice Department would sue Maine for three hundred and fifty thousand acres and three hundred million dollars as the first phase of its prosecution of the land-claim case. In August, however, the Attorney General surprised almost everyone by informing Judge Gignoux that the Department would not file suit against the fourteen large landholders, on the ground that it was unfair to make any distinction between large landowners and small landowners in the claim area.

Tureen and his colleagues were



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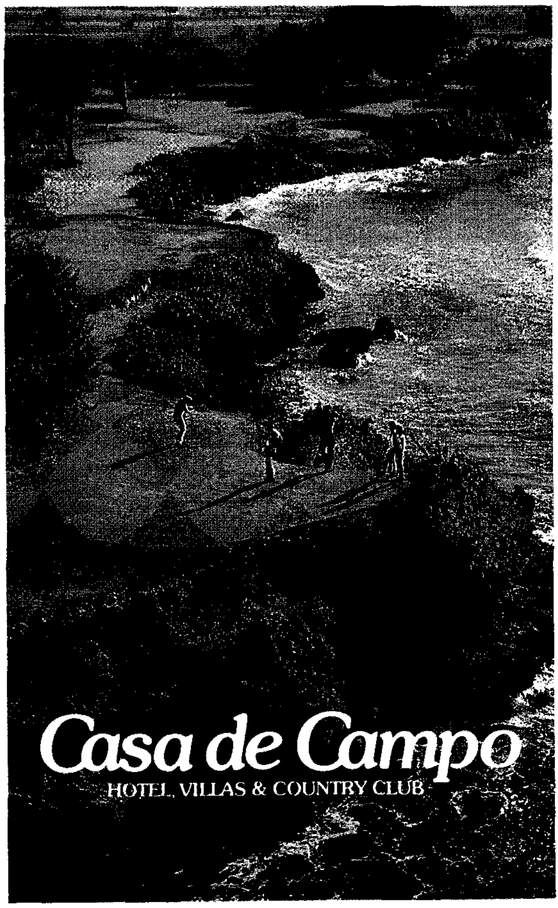

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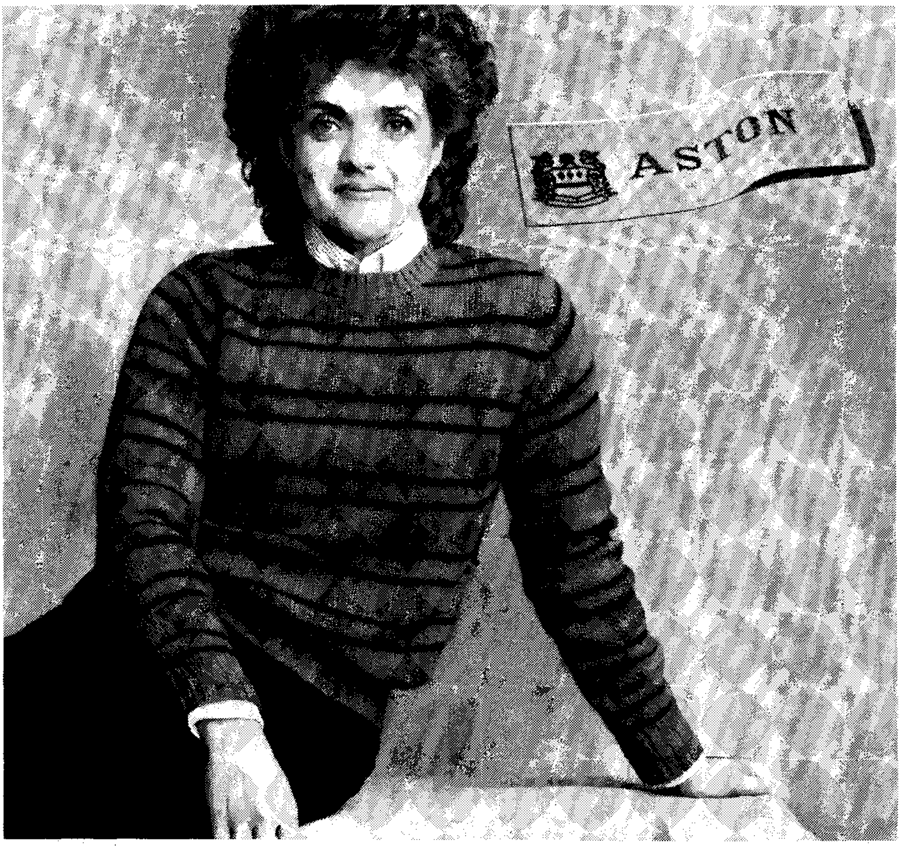
taken aback by Bell's unexpected decision, which was widely heralded in Maine as a welcome repudiation of the proposed settlement that had been negotiated and signed by President Carter's White House Work Group, and as a vindication of the hard-line position that had been taken against it by Governor Longley and Attorney General Brennan. In a public statement, Tureen confidently pointed out that Bell's action had little legal significance, because, thanks to several recent court decisions involving other Eastern Indian tribes that he and his colleagues were handling, the Passamaquoddies and the Penobscots were free to go ahead and sue private landholders on their own. Privately, however, he was extremely worried. "We knew that Attorney General Bell was an unpredictable man, who often operated independently of his staff, and who considered the Justice Department to be a fourth branch of the government," Tureen said. "We also knew that, with the departure of Bert Lance, Bell was the closest man in the Cabinet to the President. So, naturally, we wondered if this latest move on his part was a signal that the Carter Administration was getting ready to desert us. In order to find out which way the wind was blowing, I went to Washington late in August and met with Senators Muskie and Hathaway in Muskie's hideaway office at the Capitol. What they had to say was rather distressing. They told me that if President Carter sent legislation to Congress based upon the joint memorandum of understanding, they might well be forced to go along with a congressional amendment that would settle the land-claim case on terms unfavorable to the Indians. This was out-and-out arm-twisting, of course, and I realized as much when, following the meeting in Muskie's office, Senator Hathaway told me that a negotiated settlement might still be possible if the Indians would agree to accept a hundred thousand acres and twenty-five million dollars. Hathaway said he thought he might be able to persuade Congress and the President to appropriate twenty-five million dollars for the trust fund that the two tribes had already agreed to accept in return for extinguishment of their claim against small landholders, and ten million dollars more for land acquisition. This, he felt, plus two million dollars, which he thought might be furnished by the State of Maine, would enable the tribes to buy a hun-



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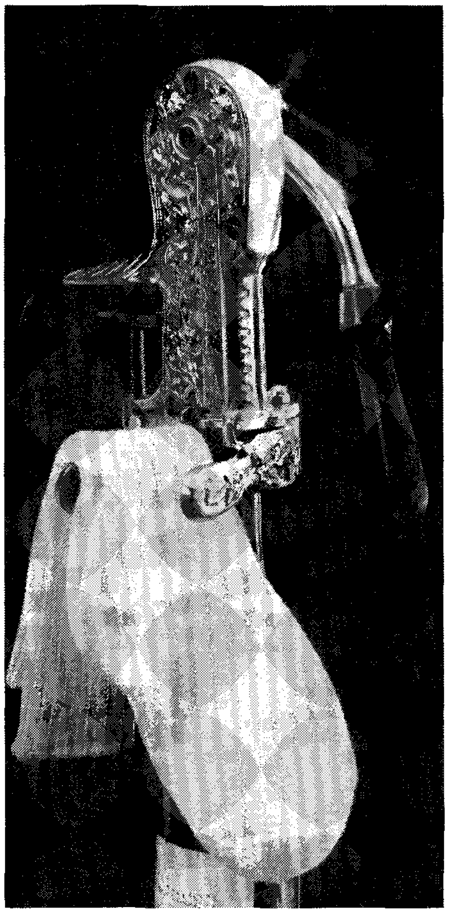

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dred thousand acres from the big paper companies at fair market value. I told Senator Hathaway that my clients would never agree to such a settlement. I pointed out that they had negotiated in good faith with the White House Work Group, that three hundred thousand acres was their bottom line, and that they expected the President's representatives to keep their word in the bargain they had made. The whole business left me wondering if Muskie or Hathaway or both had not put Bell up to his statements in an effort to get my clients to settle more cheaply. In fact, I even considered sharing my suspicion with Hathaway, for whom I had high regard and whom I liked personally. Instead, I reminded him that he was the only member of the Maine congressional delegation who had declared that the joint memorandum of understanding provided a fair approach to the land-claim problem, and I pointed out that Bell's apparent repudiation of it had seriously undermined his position, and could even hurt his chances for reëlection."

In the second week of September, Attorney General Bell made another surprise move: he asked Judge Gignoux to grant the Justice Department a six-month delay in pressing the Indian-land-claim case against the State of Maine. In his petition to the court, Bell called for Congress to intercede and settle the issue, and took the highly unusual step of promising that he would become personally involved in the drafting of new legislation to resolve the dispute. At the time, press reports attributed Bell's abrupt turnabout to a belated awareness on the part of the Carter Administration that a government lawsuit against Maine less than two months before the November election would surely jeopardize Senator Hathaway's chances for reëlection. There was also speculation that Bell's action indicated that the Administration might be ready to move toward a totally federally financed resolution of the case. Both surmises proved to be correct, as Tureen discovered toward the end of the month, when Senator Hathaway telephoned him from Washington.

"By that time, Hathaway was in deep political trouble because of the Indian issue," Tureen said. "Representative Cohen, his opponent, who was running television ads suggesting that Hathaway was willing to give a large part of Maine back to the Indians, held a big lead in the polls, and

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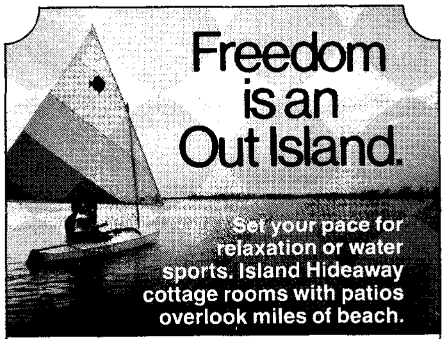

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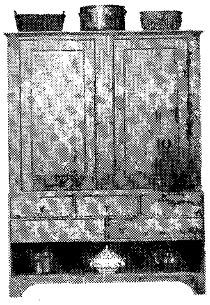

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Hathaway realized that if he did not come up with a solution to the land-claim dispute before November he was going to lose the election. During our conversation, he told me that he had discussed the problem with President Carter's Counsel, Robert Lipshutz, and that while Lipshutz had agreed in principle to a federal resolution of the case, he had refused to commit the Administration to any settlement costing more than thirty-five million dollars, on the ground that the budget ceiling would not permit a higher appropriation. At that point, I realized that it would be foolish of me to turn Senator Hathaway down a second time, for, given the political realities in Maine, a federally financed settlement was the only way to resolve the land-claim case short of going to court—which neither side wanted to do, for the simple reason that both had too much to lose. The question was how to modify the existing proposal so that it would be acceptable to both sides. Since it was obviously necessary for Senator Hathaway to come up with a plan in which the Carter Administration would not appear to be footing the whole bill with federally appropriated funds, I suggested that he explore ways in which extra money for my clients to buy land might be made available from existing government programs. I pointed out to the Senator that this not only would allow the White House to save face on the budget issue but also would allow him to frame his settlement package in such a way that the voters of Maine, who had been whipped into an anti-Indian frenzy during the election campaign, would not see it as a politically motivated federal giveaway. The Senator was enthusiastic about the idea. But I then had to tell him that there was no way the full membership of the Passamaquoddy and Penobscot tribes could ratify a settlement before Election Day, and that the very best I could do was place any new proposal he might make before the members of the negotiating committee, and ask them to say publicly that it was a constructive offer. The Senator said this was acceptable to him, and over the next week we discussed the terms under which it might be accomplished."

Tureen went on to say that what they ended up with could best be described as an agreement consisting of a public understanding and a private understanding. The public understanding, which Senator Hathaway put be-

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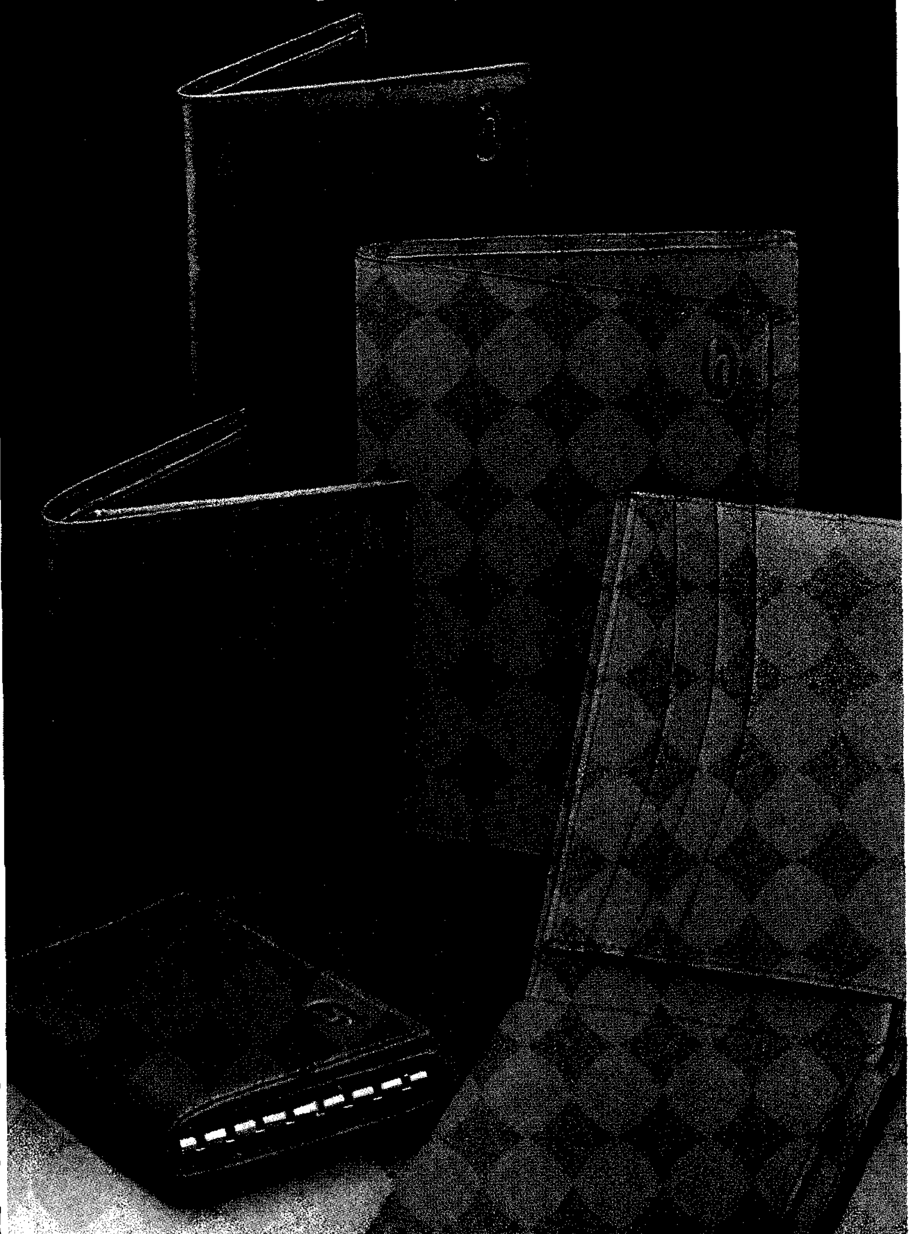

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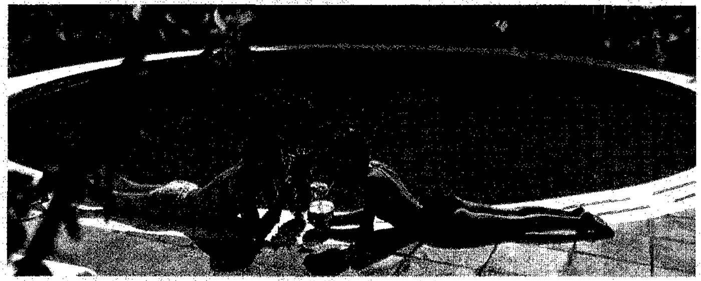

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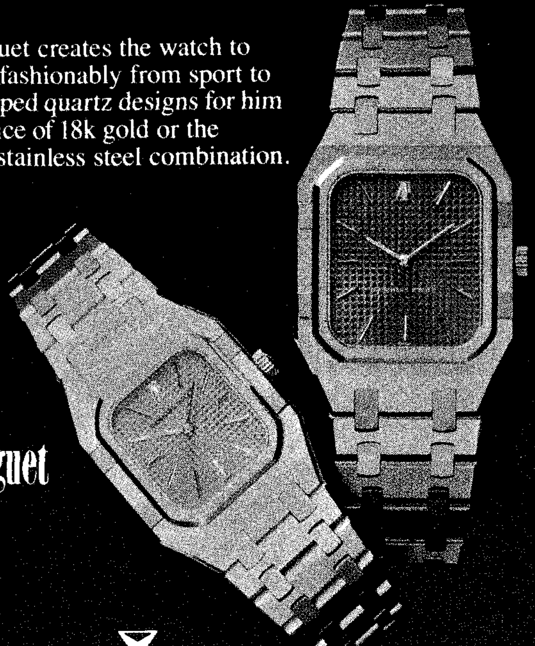

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fore the voters of Maine, called for the Indians to agree to the extinguishment of all their claims in return for a twenty-seven-million-dollar federal appropriation for their trust fund and ten million dollars in additional federal money, with which to buy a hundred thousand acres from the paper companies. The private understanding, which was spelled out in confidential letters sent to Tureen by Leo Krulitz, of the Department of the Interior, called for the Bureau of Indian Affairs to provide the tribes with ten million dollars additional for capital improvements, such as repairs to schools, roads, and bridges, and to make available fifteen million dollars in subsidized loan funds for setting up tribal business ventures and for improving the Indian economy. "Most important of all, we also got Krulitz to agree in writing to help us look for other money in existing federal programs, in order to buy the additional two hundred thousand acres that were needed to make up the three-hundred-thousand-acre land base that the White House people had agreed to in the memorandum of understanding," Tureen said. "With Senator Hathaway's assistance, we then made a private agreement with the large paper companies, with whom we had been quietly negotiating for several months, which committed them to selling us a minimum of two hundred thousand acres at fair market value. This still left us a hundred thousand acres short, but we decided we could take our chances on finding that much land on the open market."

IN the middle of October, Senator Hathaway announced his plan for ending the ten-year-old land-claim dispute, but he made no mention of the private understanding that had been reached between the Indians and the Interior Department. As a result, newspapers from one end of Maine to the other described the proposed settlement as if the Passamaquoddies and the Penobscots had agreed to take only thirty-seven million dollars for the extinguishment of their claim and to accept a hundred thousand acres instead of the three hundred thousand they had been promised under the joint memorandum of understanding. Not surprisingly, each of the politicians involved tried to turn the proposal to his advantage. Senator Hathaway, whose statesmanship was praised by Rosalynn Carter, claimed credit for bringing the Indians, the White House, and the paper companies together and resolving the thorny issue, while Governor Longley, Attorney General Brennan, and Representative Cohen—all of whom supported the new plan—claimed vindication for their stand that Maine should not be held financially accountable in any settlement, and pointed to the fact that the President had finally endorsed a solution that required not a penny of money or a square inch of land from the state. When the election was held, on November 7th, Senator Hathaway lost to Representative Cohen in a landslide, and Attorney General Brennan was an easy winner in the gubernatorial race. Ironically, most political observers felt that the two men had been propelled into office by an anti-Indian backlash vote whose momentum had been augmented at the last moment by the widely held public belief that the state had come out way ahead in the settlement.

After the election, people in Maine generally assumed that the land-claim case was over and done with, and the Indian question dropped out of the headlines. During the winter and early spring of 1979, the paper companies set aside tracts for the two hundred thousand acres they had agreed to make available as their part of the Hathaway deal, and opened negotiations with Tureen and the negotiating committee to sell the land to the Indians at fair market value. Meanwhile, the members of the Passamaquoddy and Penobscot tribes overwhelmingly ratified the Hathaway proposal, which was presented to them as a plan that would provide them with a twenty-seven-million-dollar trust fund and three hundred thousand acres. In April, however, when word that the tribes expected to acquire this much land got back to the Interior Department, Leo Krulitz said that Tureen and the negotiating committee had misunderstood a key part of the Hathaway proposal. According to Krulitz, the government's agreement to look for extra money in federal programs was not intended as a prerequisite for settling the claim case but only as a good-faith offer to help the Indians finance future land purchases.

Aware that they were not in a position to get much mileage out of their private understanding with former Senator Hathaway, Tureen and the members of the negotiating committee reminded Krulitz that the only agreement the committee had made in writing was with the White House Work

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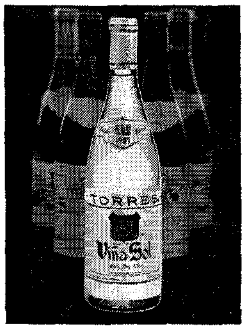

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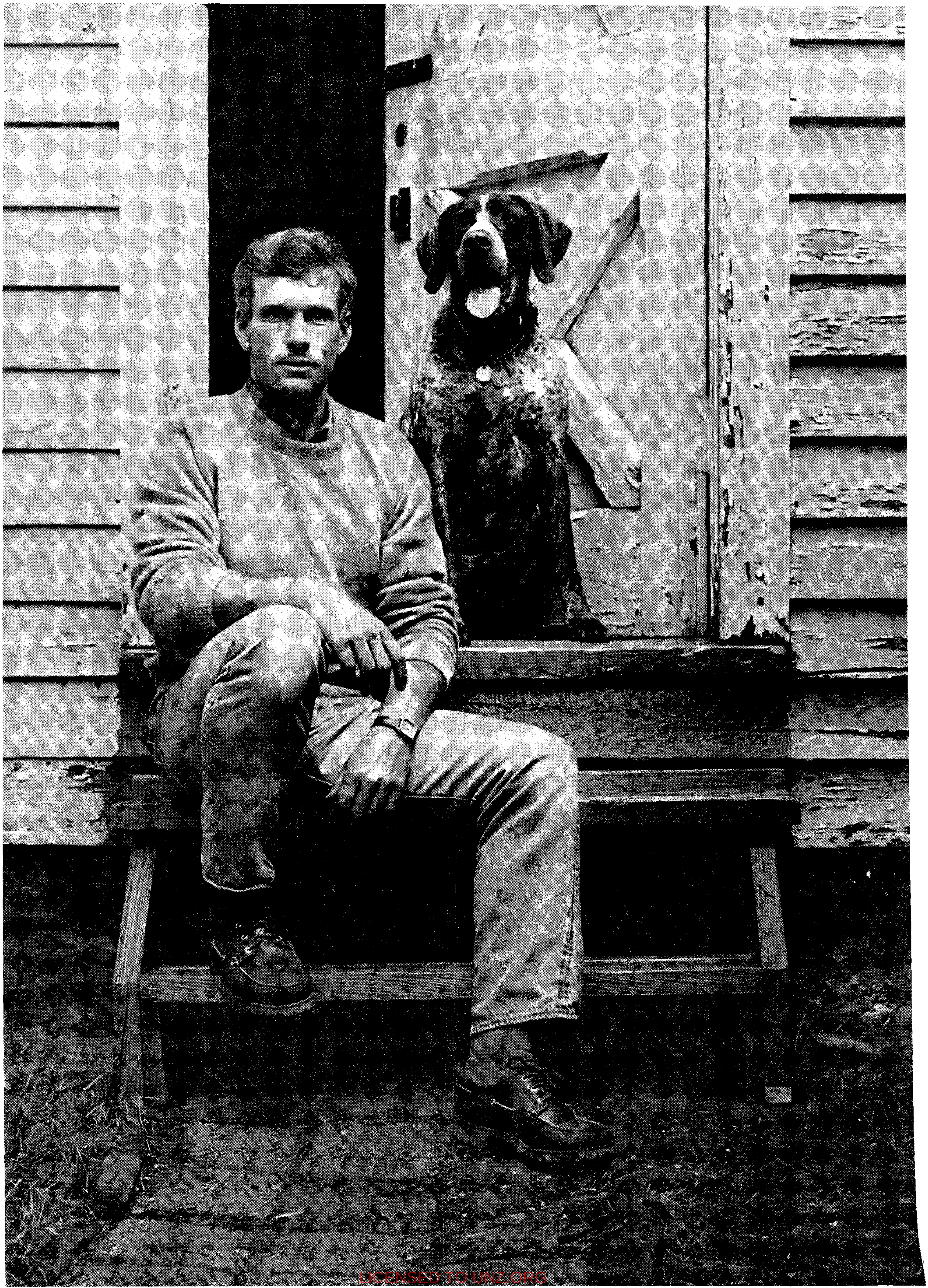

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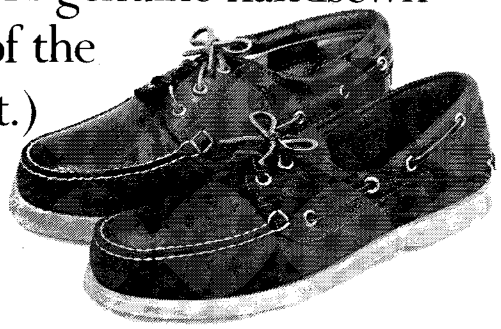

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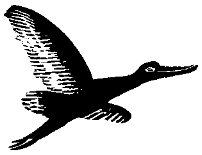
Group, of which Krulitz had been a member, and that the Work Group had promised the tribes a land base of three hundred thousand acres. "We told him that we needed an additional thirty million dollars to pay for this land base, and that if the money was not forthcoming we were ready to take our case to court," Tureen said. "During the next few weeks, Krulitz and I held a series of meetings, but we couldn't come to any agreement. Krulitz had been our friend since he had come to Interior, in early 1977, and he had stood firm on the legal issues throughout our most difficult days with Griffin Bell. But he had always been extremely tightfisted when it came to money, and when he finally realized that the tribes were serious about holding out for a settlement that would cost over sixty million dollars we lost his support. Krulitz' defection could have had serious consequences, of course, but just as the whole settlement plan was about to collapse he withdrew from the negotiations, and a man named Eric Jankel, who had just become Secretary of the Interior Cecil Andrus's assistant for intergovernmental affairs, was brought into the picture. As luck would have it, Jankel and I knew each other. We had met back in 1977, when he was working for Governor Joseph Garrahy of Rhode Island. At that time, we had negotiated an amicable settlement of a land-claim case under which the Narragansett Tribe had received eighteen hundred acres of land. We now sat down with Donald Perkins, the lawyer who was representing most of the major paper and timber companies, and in very short order the three of us figured out a way to raise the thirty million dollars in the form of grants from the Economic Development Administration and the Small Business Administration and other federal agencies."



At the beginning of August, Perkins, Tureen, and the negotiating committee presented the salvaged settlement package to the members of the Maine congressional delegation, whose approval would be needed if legislation resolving the land-claim case was to be passed by Congress. However, the delegation refused to go along with the latest proposal until it was approved by the State of Maine, which, in turn, refused to sanction it until the question of who would have legal jurisdiction over the two tribes was worked out. In October, therefore, Tureen and the Passamaquoddy-Penobscot Negotiating Committee opened talks with state officials to settle the matter, and these discussions were still in progress in January of 1980, when I visited Tureen at his office in Portland.

"In one sense, this whole issue of jurisdiction has been a red herring," he told me at the time. "At the heart of the problem is the fact that Governor Brennan was elected last autumn on a solemn pledge that the Indians would not get an inch of land or a single penny from the State of Maine. Although the federal government has long offered to foot the whole bill for the land claim, the Governor understands very well that a large settlement will still be highly unpopular in Maine, where he and former Governor Longley have been whipping up anti-Indian sentiment for years. So at this point Brennan is hung up on a dilemma of his own making. In short, he can't very well become the willing partner of a resolution that he has done his best to prevent—a simple matter of saving face. Therefore, jurisdiction has become the pretext by which he hopes to hold up a final settlement of the land claim if it is at all possible to do so. Now, to be fair, it should be understood that the question of jurisdiction is immensely complicated and sensitive. It's a much more thorny issue than either land or money, for example, because it tends to be a matter of principle. To begin with, one must remember that federally recognized Indian tribes occupy a unique legal position, in that the courts recognize them as continuing to retain their original sovereignty over internal tribal affairs except to the extent that their sovereignty has been limited by the federal government. Federally recognized tribes have the power to establish their own courts, and, with the exception of the most serious crimes—such as murder, rape, and arson—to adjudicate disputes and criminal matters that arise between tribal members on their reservations. Similarly, Indians are generally considered to be exempt from state regulatory laws, as well as from many state taxes. Indians who live and earn their income on federal reservations, for example, are not obliged to pay state income taxes. Federally recognized Indians are generally immune from state fishing, hunting, and trapping laws. And another important aspect of

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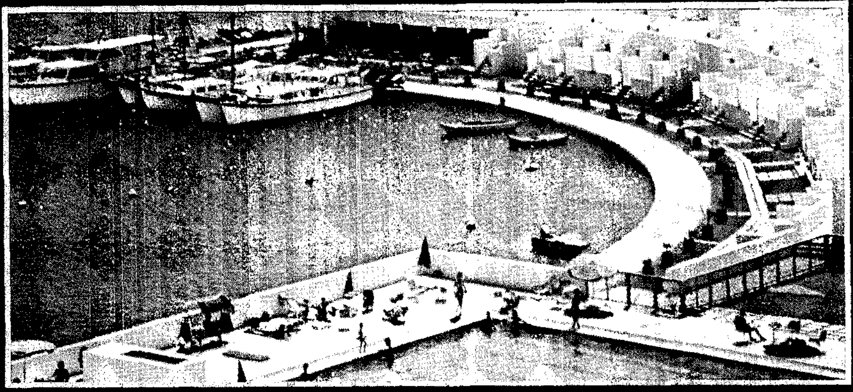

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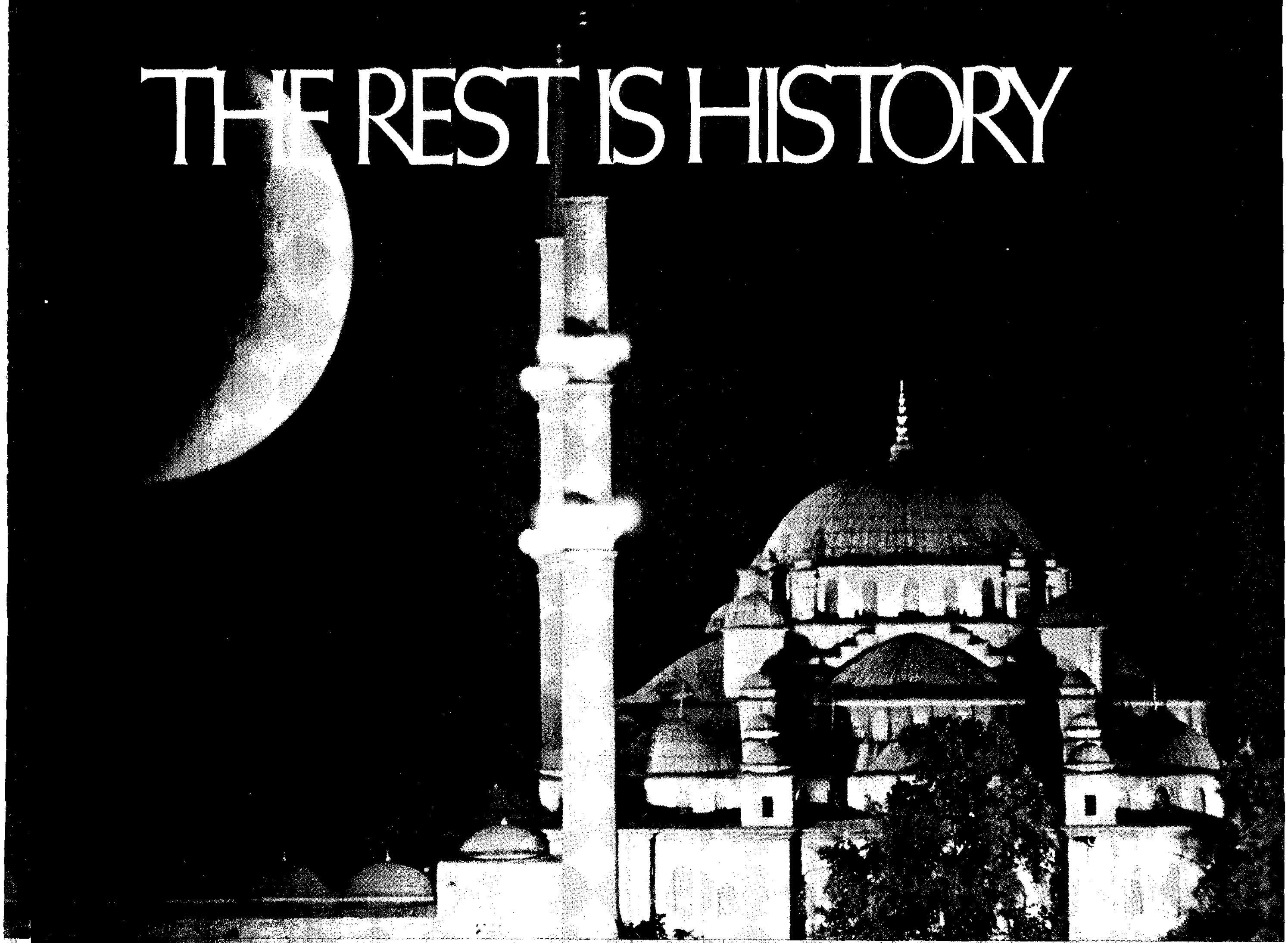

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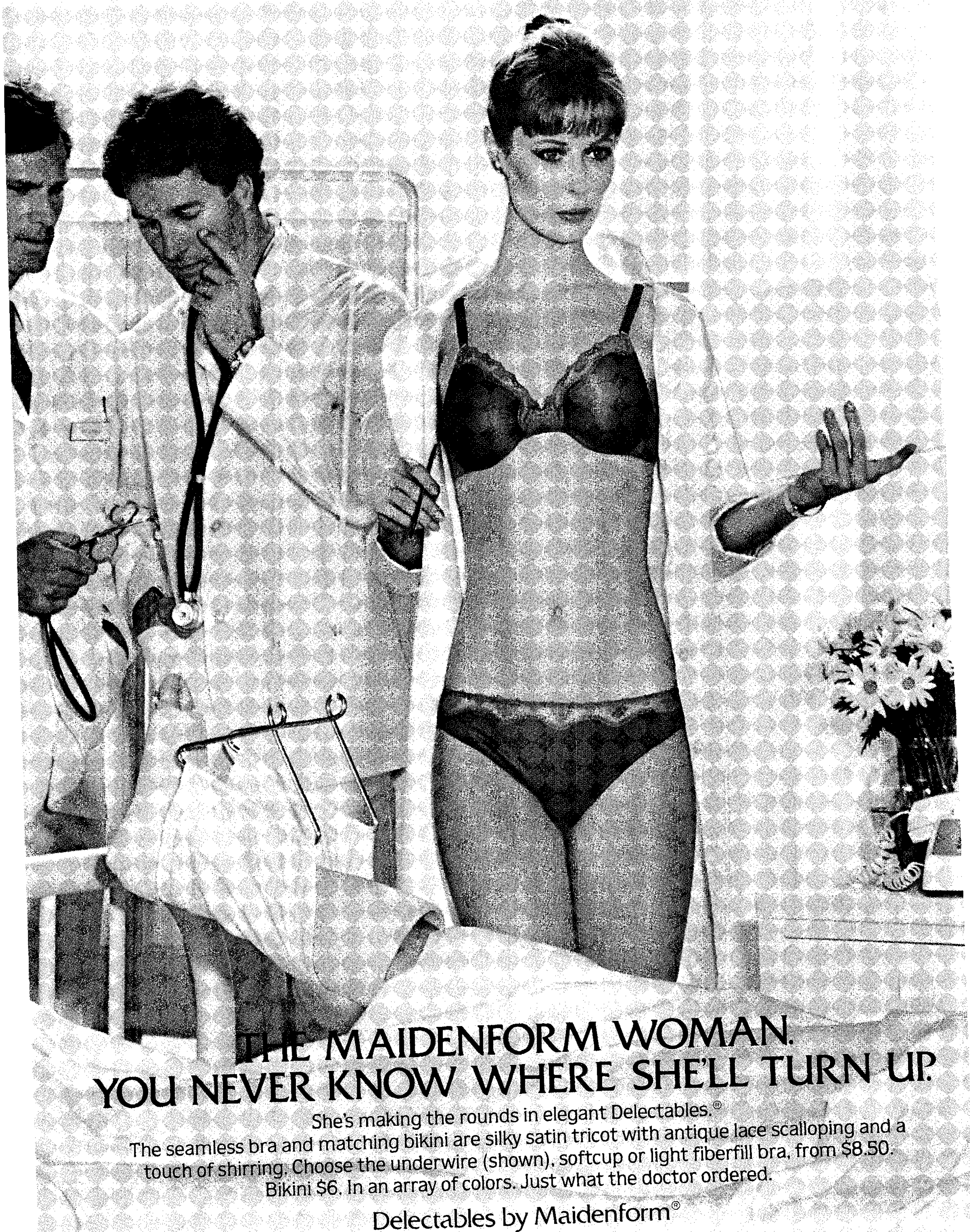

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Indian tribal sovereignty is that non-Indians living on Indian reservations have no constitutional right to any voice in tribal decision-making."

Tureen went on to say that while Indians in the United States had struggled to maintain their inherent sovereignty for hundreds of years the issue had become paramount following the Second World War. "During the nineteen-fifties, the federal government unilaterally terminated the sovereignty of several tribes, including the Menominee of Wisconsin and the Siletz of Oregon, with devastating social, psychological, and economic consequences for their members, which galvanized Indian resistance to further action of this type," he explained. "During the nineteen-sixties, the civil-rights movement generally increased vigilance and militancy on the part of minority groups throughout the nation, and the Office of Economic Opportunity's Legal Services made lawyers available without charge to individual Indians and to small tribes in order to work on the many legal problems and issues that confronted them. Until then, most Indians had seen lawyers only when there was a large claims case to be handled on a contingency-fee basis. The result was a number of lawsuits in which Indian tribes throughout the United States sought to assert or extend jurisdictional rights that had either gone unrecognized or had lain dormant for many years. In some instances, the Indians were stunningly successful—as in the case of the fishing-rights controversy in Washington State, where a group of small tribes won the right to half of the harvestable salmon in all of the important rivers in the western part of the state. In another case, however, in which the Supreme Court held that tribal courts had no jurisdiction over non-Indians in criminal cases, the Indians lost. The point is that all this legal activity served to make jurisdiction a central issue for Indians across the nation, so that by the time negotiations began in the Maine Indian-land-claim case, in the spring of 1978, the leaders of the Passamaquoddies and the Penobscots were determined to obtain full federal status for their tribes. The trouble was that this placed them on a collision course with the State of Maine, which for a hundred and sixty years had felt that the Passamaquoddy Tribe and the Penobscot Nation had no inherent sovereign powers, and that Indians could exercise only those powers which the state saw fit to grant them. For his part, Governor Longley had been implacably opposed to granting federal jurisdictional status to the Maine Indians. He was especially outraged by the suggestion that the Indians should not have to pay state taxes. Being an astute politician, he was doubtless aware that several political figures in the state of Washington—among them Attorney General Slade Gorton and Representative Lloyd Meeds—had generated considerable popularity and following by opposing Indian efforts to assert jurisdictional rights through the courts. In any event, during 1977 and 1978 Governor Longley became more and more adamant that there could be no resolution of the Indian claim unless the tribes were totally subject to state jurisdiction, and received no federal status for anything other than the provision of federal services for such things as land management, education, and welfare. Given the respective hard-line positions of the tribes and the state, it's not hard to see how the Maine congressional delegation's decision, in August of 1979, not to place legislation to settle the land-claim case before Congress until it was approved by the State of Maine—which, in turn, refused to give this approval until the jurisdictional issues were resolved—could easily have ended all prospects for a negotiated settlement. In fact, it probably would have, were it not for three incredibly—albeit accidentally—well-timed court decisions that were handed down between May and July of that year. These three decisions—two of them favorable to our clients and one that threatened to reverse our long string of legal victories, and even put an end to the land claim—were directly responsibile for the start of serious negotiations between the tribes and the state on the question of jurisdiction at the beginning of October."

Tureen said that the first of the decisions involved John Bottomly, the Boston lawyer whom Don Gellers had brought into the initial land-claim case back in 1968. (Bottomly was suspended from the practice of law for six months in 1980 after a Massachusetts court found that his conduct as a trustee of a testamentary trust had been marked by "gross negligence." He has since been reinstated.) "Over the years, I have performed almost all of my work for the Maine Indians as the salaried employee of NARF, a non-

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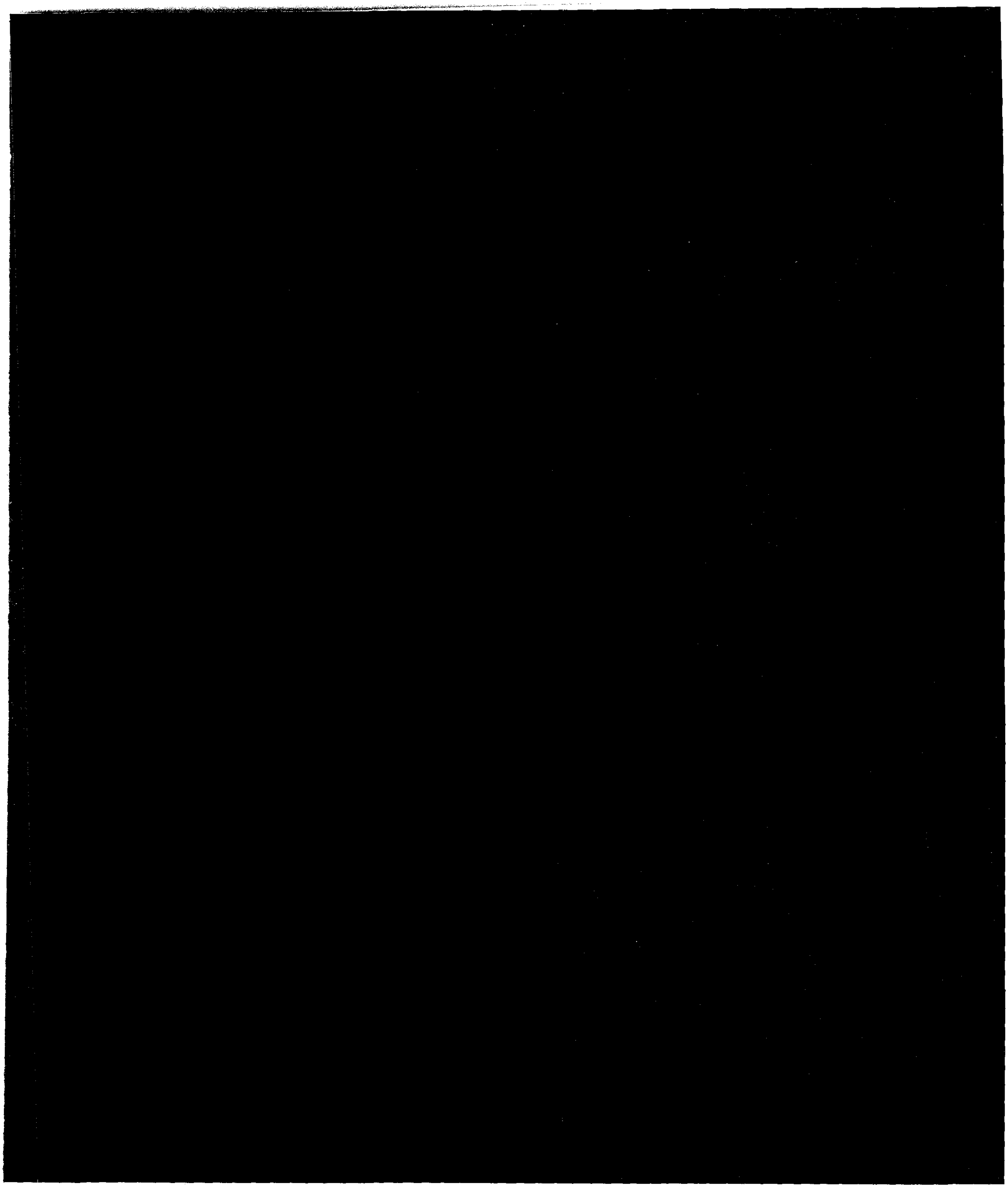

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profit law firm, and Archibald Cox and Stuart Ross have donated their services without charge," Tureen told me. "Don Gellers, however, had a ten-per-cent contingency-fee contract with the Passamaquoddy Tribe for his lawsuit against Massachusetts, and he subsequently assigned forty per cent of his contingency to Bottomly, who, in May of 1978, when our case was making headlines across the nation, filed suit in federal court in Portland, claiming that because of his agreement with Gellers he was entitled to receive four per cent of the total value of any settlement the tribe might make. Bottomly's suit had little merit, for a number of reasons. Neither he nor Gellers had ever worked on the claim that was in the process of being settled, and the lawsuit they had filed against Massachusetts ten years earlier had gone nowhere. However, Judge Gignoux was not required to deal with the merits of Bottomly's claim. On October 10, 1978, he granted our motion to dismiss Bottomly's action on the ground that the Maine tribes possessed the same kind of sovereign immunity to civil suit that is enjoyed by federally recognized Indian tribes out west. At that point, the whole business would undoubtedly have died a quiet death if the State of Maine had been willing to leave well enough alone. As things turned out, however, Attorney General Brennan decided that Bottomly's appeal of Judge Gignoux's opinion would provide an ideal opportunity to test a new set of arguments that had been assembled by the Maine Attorney General's Office to prove that Gignoux's 1975 decision in Passamaquoddy v. Morton was wrong."

At this point, Tureen told me that the arguments Brennan wanted to test had been developed by John Paterson, a deputy attorney general, who had taken over responsibility for the land-claim case after the decision in Passamaquoddy, and by Professor Banks, at the University of Maine, whom Paterson had hired. "Paterson and Banks theorized that Maine and the federal government had made a mistake when they defended Passamaquoddy on the ground that the Nonintercourse Act applied only to federally recognized tribes," he said. "So in the winter of 1979, when Bottomly's appeal came up before the United States Court of Appeals for the First Circuit, Maine filed a brief amicus curiae on behalf of Bottomly, and Paterson and Banks raised a whole new interpretation of the act. What they did was produce historical research purporting to show that all of the early federal statutes relating to Indians were intended by Congress to be geographically limited to areas defined as 'Indian country,' which lay to the west of various boundary lines demarking the frontier, and thus excluded New England. In doing so, they tried to get around the Supreme Court's 1974 ruling in the Oneida case—that the Nonintercourse Act applied in the states evolving from the original thirteen colonies—by pointing out that the court had not specifically considered whether the act applied in those parts of the original thirteen colonies which lay to the east of the Indian boundaries. As a result, they argued that the Passamaquoddy Tribe should not have been allowed to invoke the federal common-law doctrine of tribal immunity in its defense against Bottomly's action, because all federal Indian laws, both statutory and common, applied only to areas outside New England. We countered by demonstrating that while most federal Indian statutes—especially those dealing with day-to-day trade—were limited by their terms to 'Indian country,' the Nonintercourse Act, which specifically regulated land transactions, was never geographically limited, and applied by its terms to Indian tribes living throughout the United States. What was at issue here was the extent to which the court was willing to rely on the literal wording of the Nonintercourse Act as passed by Congress in 1790, and to ignore what seemed to be the common understanding of the meaning of the act on the part of the people of New England at that time. While courts do not normally allow common understanding to overcome the plain language of a statute, the new interpretation of the act which was advanced by the state made us nervous for the very simple reason that if it were adopted Passamaquoddy v. Morton would, in effect, be reversed, and the whole land-claim case would fall into limbo. Happily, we survived the challenge. In May of 1979, the Court of Appeals issued a unanimous opinion rejecting Maine's new arguments, and reaffirming its holdings in Passamaquoddy that the terms of the Nonintercourse Act applied in Maine. And while it was at it the Appeals Court also held that the Passamaquoddy Tribe possessed the same degree of

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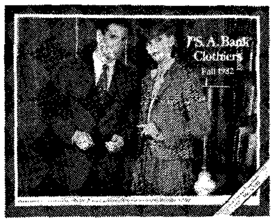

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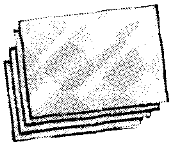

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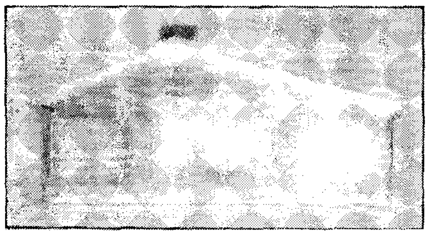
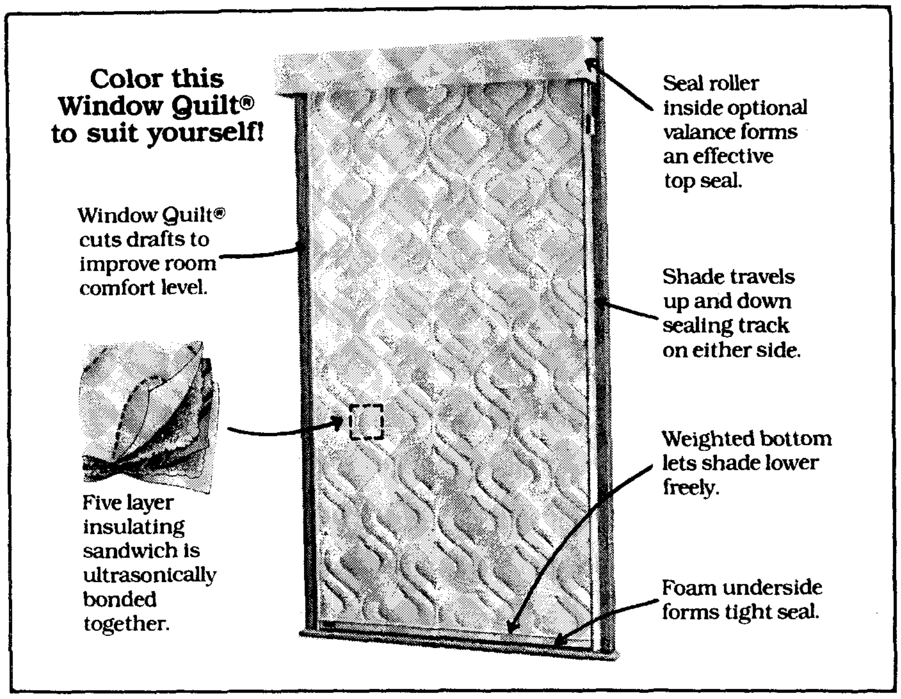


Left windows equipped with Window Quilt® shades resist heat loss while heat escapes through non-insulated windows on right.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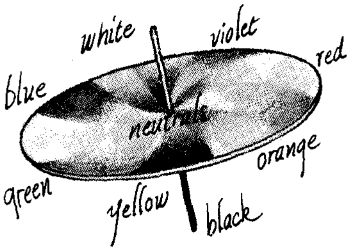
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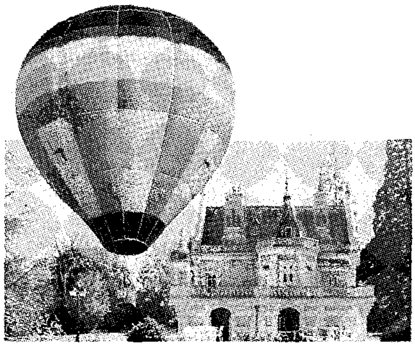

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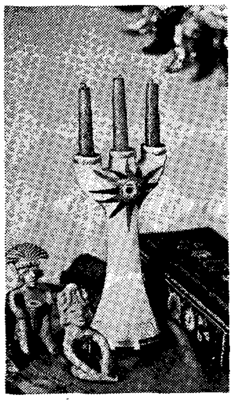

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inherent sovereignty as any other tribe in the United States."

The Bottomly case was, of course, a major defeat for Maine on the question of the applicability of the Nonintercourse Act, but as things turned out the state would be handed an even more humiliating setback on the same issue the following July 3rd, when the Maine Supreme Judicial Court rendered its decision in a case called State v. Dana. Back in May of 1977, Albert C. Dana, a Passamaquoddy Indian living in Indian Township, and Allen Sockabasin, a charismatic former governor of the Indian Township Reservation, who would later become a member of the Passamaquoddy-Penobscot Negotiating Committee, had been arrested and charged with trying to burn down the reservation's elementary-school building at Peter Dana Point. Later that year, the two men were tried and convicted of attempted arson by the State Superior Court in Machias. After the jury had found the defendants guilty, their attorneys argued that the state court lacked jurisdiction over the alleged offense, because arson was one of the class of crimes in which jurisdiction is reserved to the federal government under the Indian Major Crimes Act of 1948. The trial judge denied their motion for dismissal, however, and Dana and Sockabasin appealed their conviction to the Maine Supreme Judicial Court, which sat in Bangor on May 7, 1979, with seven of its eight members present, to hear oral argument.

"The courtroom was steaming and packed with Indians from both tribes, as well as with lawyers, reporters, and spectators," Tureen said. "Everyone who was there seemed to understand that history was being made. First of all, great attention had been focussed upon the proceedings by the press, and people realized that Dana was a crucially important test of Brennan's contention that the provisions of the Nonintercourse Act did not apply to the Maine Indians, and that the Indian Major Crimes Act was thus also inapplicable within the state. Second, the Maine Supreme Judicial Court had not dealt with an Indian issue since 1892, when it held in State v. Newell—a case involving an Indian who shot two deer out of season in Indian Township—that the Passamaquoddy Tribe had ceased to exist as a sovereign entity. Third, the fact that the Nonintercourse Act and the Major Crimes Act were being addressed in the state's own court for the very first

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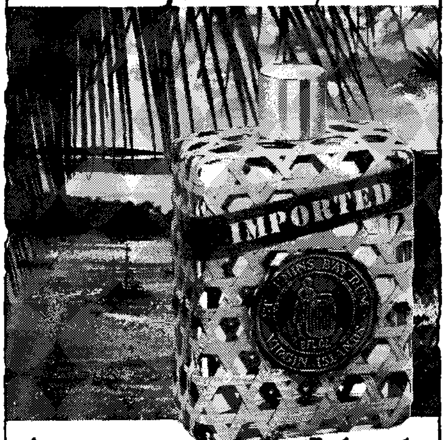

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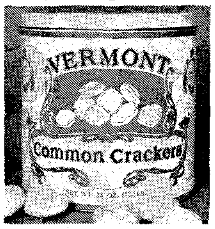

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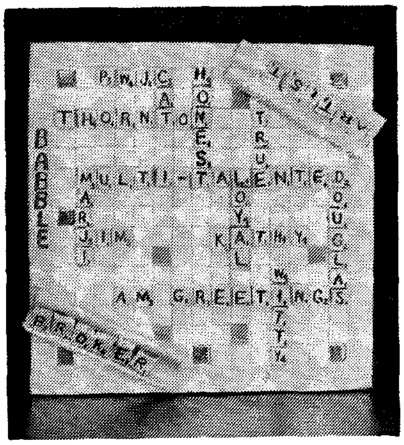

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time since the start of the land claim was tremendously important from a political and psychological point of view. And, finally, the very future of the proposed settlement of the land-claim case was once again at stake, for an unfavorable decision from the state's highest court would undoubtedly make meaningful negotiations with the state on the question of jurisdiction, as well as legislation by Congress, impossible until the United States Supreme Court had resolved the issue." Tureen said that as counsel for the Passamaquoddy Tribe he had filed a brief amicus curiae on behalf of the two defendants, and that the United States had filed a similar brief. "Oral argument lasted an exceptionally long time—more than two hours—because of the extraordinary complexity of the case," he told me. "Needless to say, everyone was on pins and needles. John Paterson knew that he needed a knockout punch if Maine was going to stop a settlement of the land claim, which, because of the support of the Carter Administration, was beginning to look more and more like a fait accompli. For our part, we realized that in spite of winning all the previous decisions we could easily lose this one, simply because it is always easy for an appellate court to get rid of a messy case with far-reaching practical and political consequences by affirming a negative decision by a lower court. When the proceedings began, Paterson went to the well again with essentially the same argument he had employed in Bottomly a few months earlier, except that in this instance he was arguing that Dana and Sockabasin were not covered by the Indian Major Crimes Act, because that statute applied only where the Nonintercourse Act applied. In so doing, Paterson was deliberately provoking the court to address the central issue of the land-claim case in the context of a criminal appeal. If he had wanted to, he could have defended on far safer ground—for example, by arguing that Peter Dana Point was not 'Indian country' as that term was defined by the Indian Major Crimes Act. However, as I've indicated, Maine had its back to the ropes, and Paterson desperately needed to unload a haymaker. For my part, I also used the same arguments before the Maine Supreme Court that I had used in Bottomly—essentially, that the Nonintercourse Act by its terms applied to Indian tribes throughout the United States—only in this case I also presented the court with an alternative

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ground that would enable it to decide the case without addressing the difficult Nonintercourse Act issue raised by Paterson. I did this by arguing that the Indian Major Crimes Act applied not only to reservations under the jurisdiction of the United States but to dependent Indian communities as well, and that because the Department of the Interior had decided, in 1976, before the alleged crime of arson was committed, that the Passamaquoddies were eligible for Bureau of Indian Affairs services, they obviously had to be a dependent Indian community. As the morning wore on, it became more and more apparent from the tone of the justices' questions that they were not sympathetic to the argument presented by the state. However, I fully expected that the court would overturn State v. Dana on the easier ground that I had suggested. Instead, to my surprise and delight, on the night of July 3rd, just as I was about to leave on holiday, I learned that, rather than skirting the difficult issues in its opinion, the court had dwelt upon them at length, and had systematically examined and rejected each and every one of the state's contentions. It was a major victory for our side, of course, because it took the wind out of Governor Brennan's sails, put him on notice that going to trial against us on the land-claim issue would be a dangerous thing to do, and no doubt helped to convince him that an out-of-court settlement might not be such a bad idea after all. Even more important, it served to vindicate the legal position we had taken on behalf of the Passamaquoddies and the Penobscots, and to show the people of Maine that the Indians had been in the right all along."

On July 4th, Tureen flew his wife and their two small children to Whitehead Island, in the Bay of Fundy, where his wife's parents have a summer cottage, and enjoyed a tranquil and triumphant weekend. When he returned to Portland on Monday, however, he learned that the whole land-claim case was once again in jeopardy, because of a new legal wrinkle that threatened to plunge everything into reverse. What had happened was that on June 20th, unbeknownst to the justices of the Maine Supreme Judicial Court, the United States Supreme Court had rendered a decision in a case called Wilson v. Omaha Indian Tribe, which turned out to have tremendous implications concerning the applicability of the Nonintercourse Act. "Wilson in-

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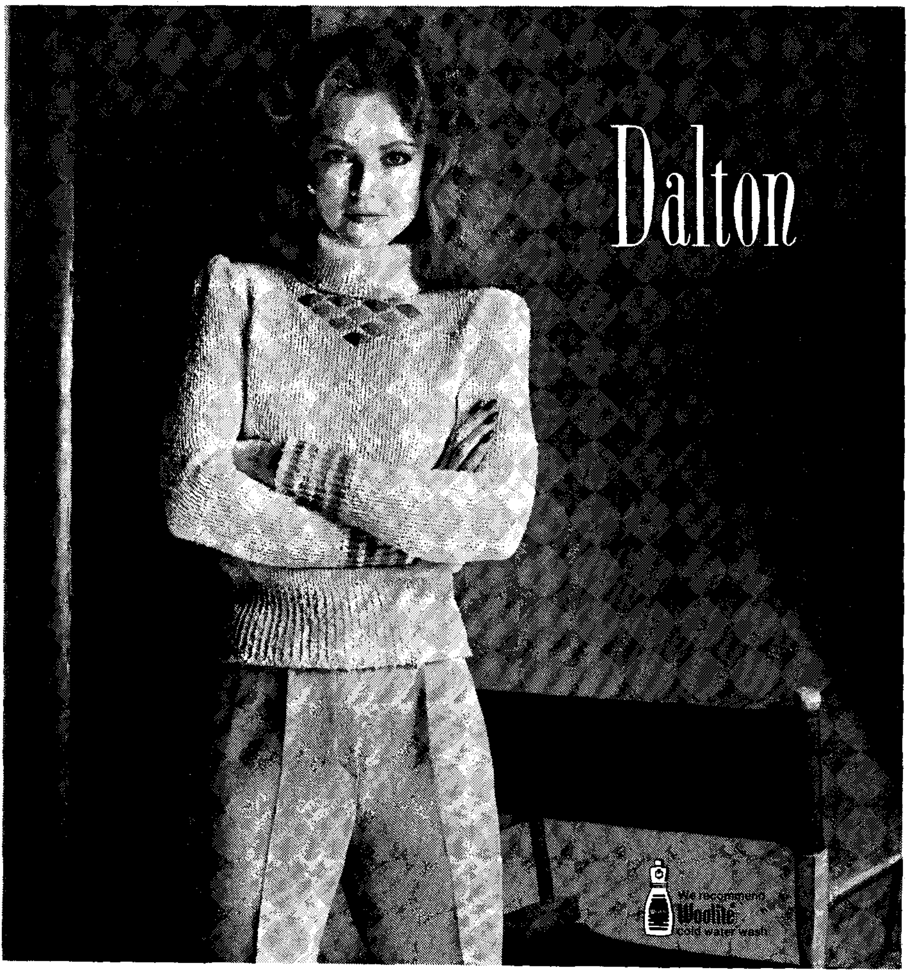

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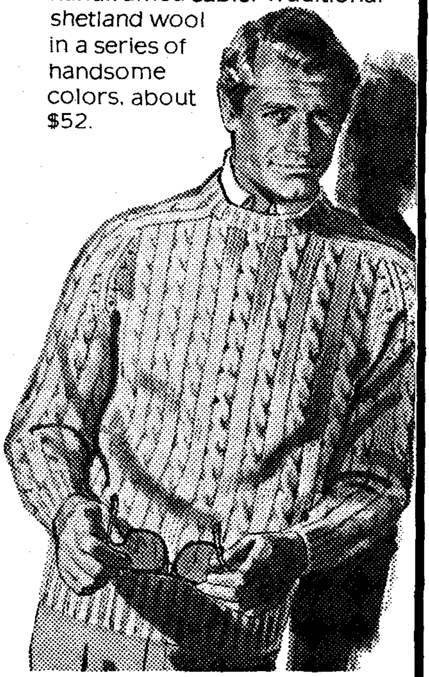

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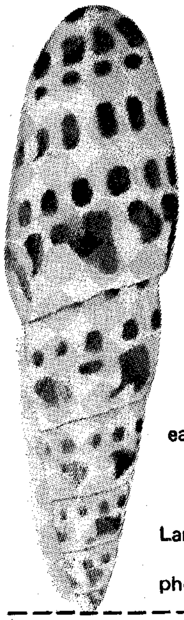

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volved a comparatively minor land claim by the Omaha Tribe, which had its beginnings when the Missouri River had changed its course, cutting off a portion of the Omaha Tribe's reservation that lay along the Nebraska-Iowa border," Tureen said. "Various parts of this portion of land were subsequently claimed by a landowner named Roy T. Wilson, by R.G.P., Inc., a farming and land-management company, and by the State of Iowa. In 1975, encouraged and assisted by the Bureau of Indian Affairs, the Omahas crossed the river and occupied the territory that had been cut off from the reservation. As the case made its way through the federal courts, the Indians, on the one hand, and Wilson, the R.G.P. corporation, and Iowa, on the other, claimed ownership of the land. In making its claim, however, the Omaha Tribe alleged that it was entitled to the benefit of a special provision of the Indian Trade and Intercourse Act of 1834, which held that where there was an Indian on one side of a property dispute and a white person on the other the burden of proof would always be on the white person, once the Indian had made out a presumption of title from the fact of previous ownership or possession. Since the parties in the case included R.G.P., Inc. and the State of Iowa, a question arose as to whether the term 'white person' could be construed to include them. In its June 20th decision, the Supreme Court held that the term 'white person' included the corporation but not the state, saying that disabilities such as the burden-of-proof provision in the 1834 act do not normally run against a state. To buttress this argument, the court went on to declare that in this case it was particularly unlikely that Congress intended the term 'white person' to include a state, because all the provisions of the 1834 Trade and Intercourse Act were limited in their applicability to 'Indian country' as defined in Section 1 of the act, and that 'Indian country' as so defined did not include any land within any state. Incredibly, this argument had not been presented in any briefs, nor had it been raised in oral argument; the Supreme Court had come to it all on its own! And it was, of course, essentially the same argument that Maine had urged on the First Circuit in Bottomly, and on the Maine Supreme Judicial Court in Dana. Thus, if the Supreme Court meant what it said in Wilson, once it got hold of Dana or any other land-

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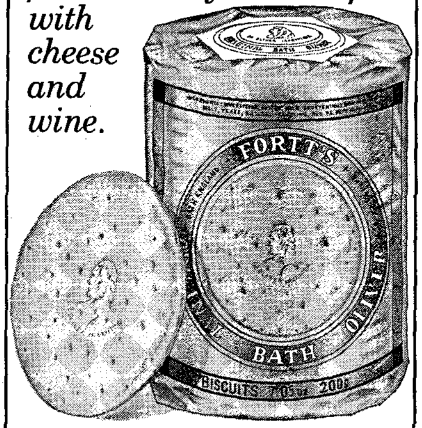

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claim decision we would be finished. Suffice it to say, when I heard about the decision in Wilson my heart sank."

The next few days were an agony of doubt for Tureen and his colleagues. The offending language that could undo ten years of work was in the Wilson decision, and they had absolutely no way of knowing whether the Supreme Court really meant what it said, and was sending them a warning, or whether the court's meaning had been misconstrued by some careless or overworked law clerk during the actual writing of the opinion. Especially perplexing to them was the fact that Justice Byron White, who wrote the Wilson opinion, had also written the opinion in Oneida, the highly favorable 1974 decision concerning the Nonintercourse Act, which had been heavily relied upon by all the courts that had previously agreed with the arguments that had been presented on behalf of the Passamaquoddies and the Penobscots. And even more perplexing than that was the fact that Justice White had relied heavily on Oneida in writing Wilson, and that the Wilson opinion, with the exception of the part relating to the land held by the State of Iowa, was favorable to the Indians.

"We now faced the dilemma of whether to let the situation stand or to attempt to get the Supreme Court to modify what it had said," Tureen went on. "On the one hand, there was the language that quite possibly could destroy the chances of the Maine Indians for settling their claim. On the other hand, not only was there very little precedent for requesting modification of the language of a Supreme Court decision that had already been rendered but there was also the danger that if we called the offending language to the court's attention the court might very well deny our request for modification with an accompanying opinion indicating that it knew perfectly well what it had said and meant every word of it. Faced with this predicament, I held a series of telephone conferences with Stuart Ross, Robert Pelcyger, of NARF, and Richard Collins, a lawyer for NARF, who had won several recent Supreme Court decisions favoring the Indians. I also called Archibald Cox at his summer home, in Brooksville, Maine. After anguishing over the problem, we agreed unanimously, albeit reluctantly, that we ought to request a modification of the court's language in Wilson, and that the request would have a better

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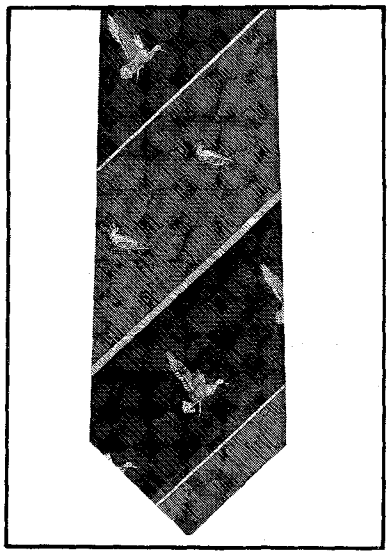

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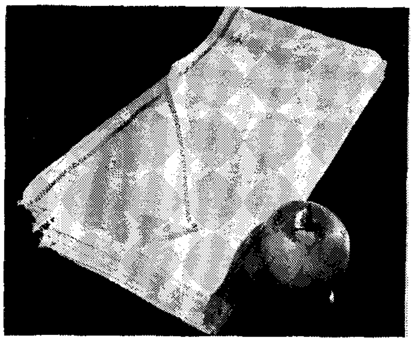

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chance of succeeding if it were sent to the court by the Solicitor General. Pelcyger then called a friend, Louis Claiborne, a deputy solicitor general who had originally been hired by Cox when he was Solicitor General under President Kennedy, and, in August, Claiborne submitted a motion in the name of the United States, requesting the court to delete the language of the buttressing reasoning. In his motion, Claiborne explained that the language contradicted that of Oneida, and was incorrect to the extent that it suggested that all of the provisions of the Trade and Intercourse Acts were limited to 'Indian country.' He also took pains to point out to the court that if the language of the Wilson opinion remained unmodified it could very well undermine efforts to settle the Maine Indian land claim, as well as similar actions in the Eastern part of the United States. In October, however, the Supreme Court denied Claiborne's motion without comment, and from then on we knew we might be up against it."

By affirming the language of the buttressing reasoning in Wilson v. Omaha Indian Tribe, the Supreme Court applied an imposing counterweight upon the complex mobile of legal decisions and rulings that, up to that point, had been tilting in favor of the Maine Indians. On the one hand, once the decisions in Bottomly and Dana were rendered the state could no longer be confident that its new research would lead to a dismissal of the land claims. On the other hand, after Wilson the tribes had to face the very real prospect that if they did not reach a legislative settlement the Supreme Court might agree to review the Dana decision, and, in the process, not only end their land claims but destroy their jurisdictional victories as well, and place them back where they had been before the 1975 decision in Passamaquoddy v. Morton. It was a prospect that loomed even larger at the beginning of October, 1979, when the State of Maine filed its petition for a writ of certiorari in which it asked the Supreme Court to review the Maine Supreme Judicial Court's ruling in Dana.

"It was not any accident that serious negotiations between the two tribes and the state on the question of jurisdiction began shortly thereafter," Tureen said. "Indeed, although it was never mentioned during the joint bargaining sessions, the prospect of a Supreme Court showdown hung over the

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talks like a sword of Damocles. But as the weeks wore on a rather remarkable change began to take place. Little by little, Maine's new attorney general, a Republican named Richard S. Cohen, who is not related to the senator from the state, began to understand and sympathize with the tribes' determination to govern themselves without fear of state intervention. And, little by little, the Indian negotiators began to trust Cohen and attempt to understand what he needed to obtain for the state in a settlement. Basically, each side needed to design a settlement that could be viewed as consistent with its publicly announced philosophy. In order to achieve this, both sides had to make concessions, and, slowly but surely, we began to move major issues from the unresolved to the resolved side of the ledger. For example, the tribes agreed that serious crimes committed by Indians on the reservations would be tried in state courts rather than in federal courts. The tribes also agreed that individual Indians who lived and earned their income on the reservations would pay state income taxes. Moreover, the Indians agreed that Maine's basic regulatory laws, including its environmental laws, would apply on the reservations. As for the state, it agreed that the organization and function of the tribal governments, including the decision to grant formal membership in the tribes, would not be subject to state regulation. It also agreed that the Passamaquoddies and the Penobscots should have the same constitutional right as other federally recognized tribes to exclude non-Indians from participation in tribal decision-making. Moreover, the state not only agreed that all Indian lands in Maine would become subject to a special Nonintercourse Act reaffirming that any transaction involving these lands which was not expressly approved by Congress would be invalid but also agreed to severely curtail its power to exercise eminent domain over any Indian lands. Other concessions by Maine included leaving the Indians with the right to regulate their own fishing, hunting, and trapping, with the exception of fishing in navigable rivers, as well as the right to set up tribal courts to deal with misdemeanors and minor infractions committed by Indians against other Indians. For the most part, the discussions with the state were conducted in an atmosphere of mutual respect and compromise, which, considering the bitterness and intransigence that had

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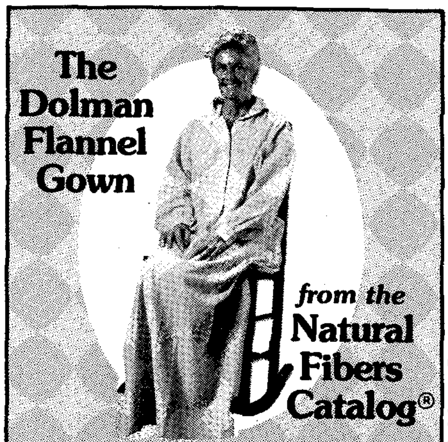
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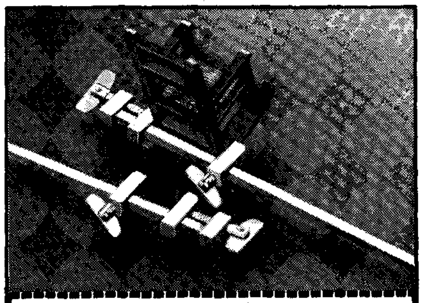

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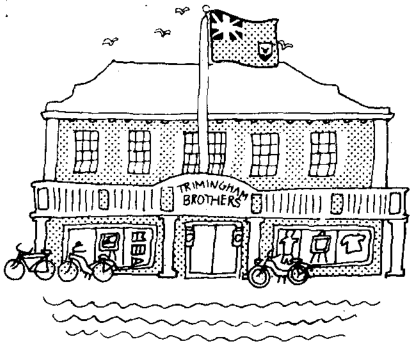
surrounded the land-claim case in the past, was surprising."

On February 19, 1980, the Supreme Court denied certiorari in the Dana case. By that time, however, the talks between the Indians and the state were going so well that a final settlement seemed within reach. Early in March, a draft of the legislation embodying final agreements concerning jurisdiction was approved by members of the Passamaquoddy-Penobscot Negotiating Committee, and within two weeks it was put to an advisory referendum and ratified by the full membership of both tribes by a majority of about two and one-half to one. The final legislation, which was called the Maine Implementing Act, was introduced in the last week of March, during the closing days of the session of the Maine State Legislature. In spite of an editorial in the Bangor *Daily News* warning that "our lawmakers should not allow themselves to be deluded or intimidated by the arrogance and audacity of the Indians' lawyer, Tom Tureen," and posing the question that "if the Indians get their money and land in Maine, will the Native American Rights Fund and the other foundations that have bankrolled the Indians in their legal quest dispatch an army of well-financed lawyers to Maine to chase down other historic injustices heaped upon the Native Americans by our forefathers?," the measure passed both houses on April 3rd, after two days of debate, and was signed into law on the same day by Governor Brennan, who capitulated in his position as the chief elected opponent of the land-claim settlement by calling it "a good compromise that will make a new era in which the Indians of this state can live in dignity."

At that point, the focus of the whole land-claim case shifted to Washington, D.C., where Congress was now asked to pass a companion piece of legislation that would ratify the Maine Implementing Act, and provide eighty-one and a half million dollars to buy three hundred thousand acres of forestland for which Tureen and the members of the negotiating committee had been obtaining options for almost a year, as well as set up the twenty-seven-million-dollar trust fund that had already been agreed upon. Tureen and the negotiating committee had conditioned their willingness to recommend tribal approval of the state's jurisdictional package on the state's



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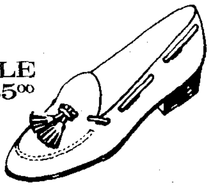

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willingness to support this fixed-dollar settlement, as opposed to the less certain money-and-grant proposal which had been presented to the congressional delegation the previous August. By this time, however, congressional support for any settlement had become shaky, to say the least. Because of the Presidential primaries and the coming political campaign, Congress was under severe pressure to cut federal spending and achieve some semblance of a balanced budget. To make matters worse, it was precisely at this time—April of 1980—that Senator Edmund Muskie's national star began its brief ascent, with the result that, hopeful of being chosen as the Democratic nominee over a faltering President Carter, the senior senator from Maine began to cultivate his reputation as a flinty New England cost-cutter. Until then, it had appeared that Senator Muskie, who, as chairman of the Senate Budget Committee, was capable of wielding extraordinary power, would be a great asset in moving the Maine Indian Claims Settlement Act through Congress. In the spring of 1980, however, it suddenly became politically embarrassing for Muskie to champion the Indians' cause to colleagues whom he had been pressing to give up favorite measures for the sake of the Democratic Party's new emphasis upon austerity.

"We felt betrayed by Muskie," Tureen remembers. "He had been a mentor to us all along, and, following his advice, we had gone out and got Maine to agree to a settlement. Then, when we presented him with the final package in April, which was late in the congressional year, he let it sit for a critical month and a half without even calling a meeting to discuss it. And, of course, the other members of the Maine congressional delegation followed suit. So once again we began to entertain nagging doubts about the fate of the land-claims settlement. All along, you see, we had been banking on the idea that we would be able to get the support of the Carter Administration for the eighty-one and a half million dollars needed for a final settlement. However, we didn't think that Carter was going to win in November, and we knew that if we didn't get a settlement while he was still President we might very well not get one at all. In short, we realized that the joint memorandum of understanding was our personal compact with President Carter, and that it could not possibly survive his Administration. Then, just as we were beginning to

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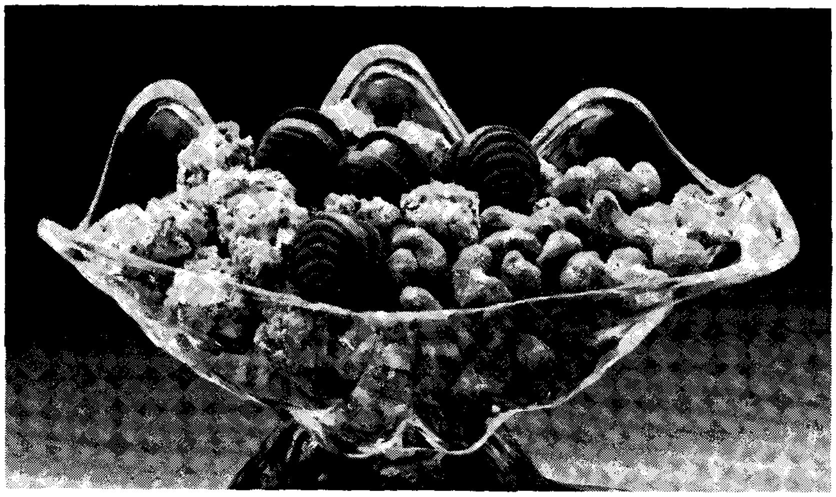

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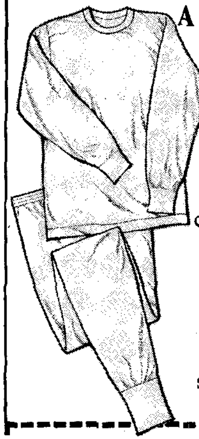

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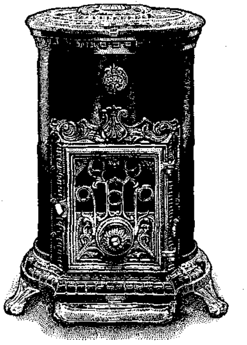

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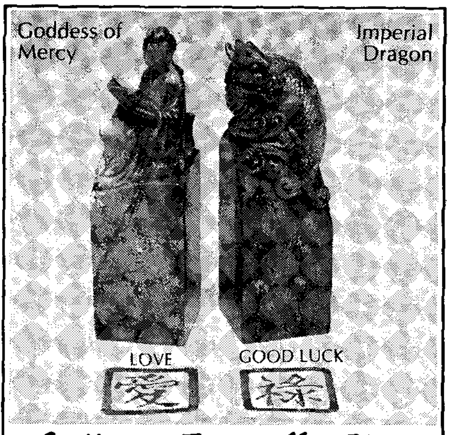
entertain such gloomy thoughts in earnest, we got a couple of unexpected breaks. First of all, we were relieved of the burden of Senator Muskie's delicate political condition when, in late April, he was suddenly elevated by President Carter to the post of Secretary of State. Then, soon afterward, Governor Brennan replaced Muskie with George Mitchell, a Democrat who had run unsuccessfully against Longley five and a half years earlier, and who had been the only state politician whom the Passamaquoddies had ever endorsed. Senator Mitchell, who now inherited a seat on the Budget Committee, was perfect for the settlement for a number of reasons. To begin with, as a new senator he had few other responsibilities, and could devote his full time to the issue. Second, between 1977 and 1979 he had served as counsel of record in the Indian claim while he was United States Attorney for the District of Maine. And, most important of all, immediately prior to coming to the Senate he had been a federal judge for the United States District Court for Maine, and could thus speak with judicial authority on the legal aspects of the case, which he believed to be meritorious. In addition to having the support of Senator Mitchell, we got lucky in other areas as well. For example, as soon as Muskie got kicked upstairs Senator Cohen, who at one time supported a move to extinguish the Indian land claim, became the senior member of the Maine congressional delegation, and, recognizing that broad bipartisan support had developed in the state for a settlement, he took up the reins that Muskie had let lie, and began to move the stalled legislation forward. On June 12th, Senators Cohen and Mitchell introduced the Maine Indian Claims Settlement Act before the Senate, and scheduled hearings in the Senate Select Committee on Indian Affairs for July 1st and July 2nd."

By the time the hearings rolled around, Federal Reserve measures to combat inflation, which had been instituted earlier in the year, had begun to take hold; interest rates had plummeted; and the feeling in financial circles was that the nation was verging upon a recession. All at once, therefore, the government found itself responding to the economic necessities of the moment by designing tax cuts and planning new spending programs. This turning point could not have come at a better time for the Maine Indians, for not only was the govern-



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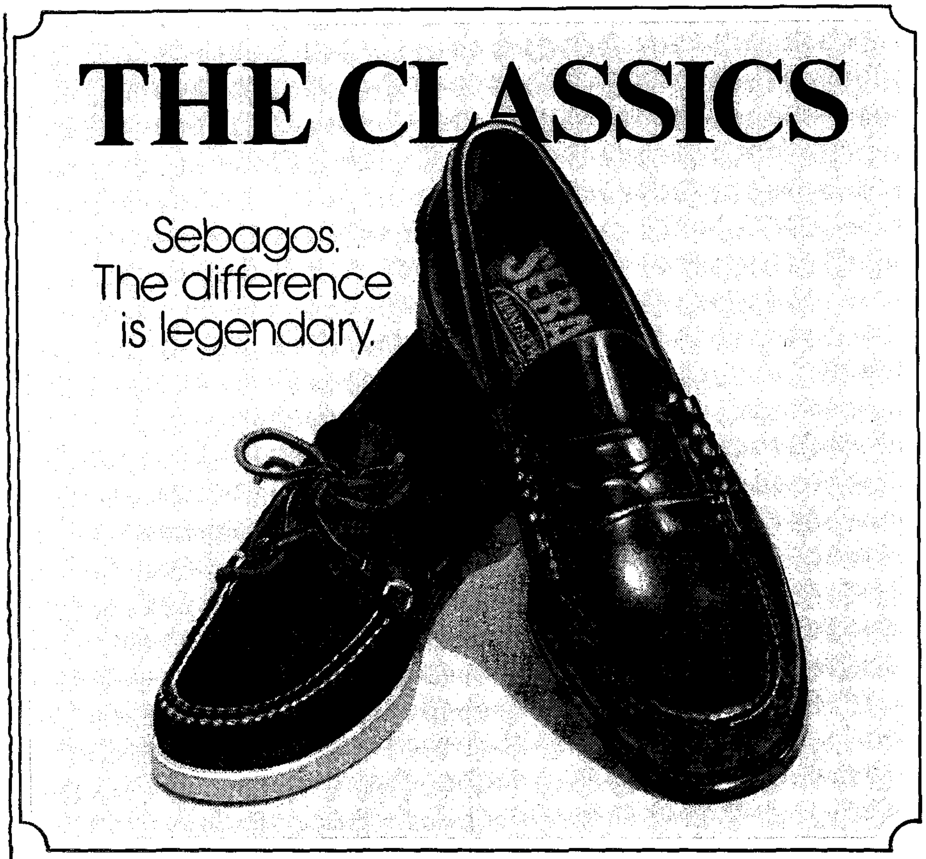
ment prepared to spend money but President Carter's campaign strategists had also apparently decided that the President had a good chance of carrying Maine in November, and they did not want to risk the President's being blamed for torpedoing a settlement that by this time had engendered the support of virtually all of the state's top political leaders.

As things turned out, the hearings on the settlement were relatively uneventful. Secretary of the Interior Cecil Andrus informed the committee that the Carter Administration not oppose the settlement proposal, and the two members of the non-Indian opposition to the legislation, who came to the hearings to speak against the bill, had failed to get even a third of the signatures they needed to call for a referendum to suspend the Maine Implementing Act. In addition, one of them made the audience cringe by suggesting that the Indians should not be able to buy land outside their reservations because it would make non-Indian mothers uncomfortable raising their children with Indians around them. By this time, of course, much of the steam had gone out of the once vociferous and powerful opposition in Maine to the Indian land-claim settlement. Appearing before the Select Committee in support of the measure, Governor Brennan had to content himself with saying that "while I believe the State would prevail in court, I am likewise convinced that a reasonable out-of-court settlement as embodied by this legislation would better promote the interest of the people of Maine than years of bitter litigation with its inevitable adverse economic consequences," and former Governor Longley, who had planned to come to the hearings and speak in a last-ditch effort to avert the settlement, was dying of cancer at his home in Lewiston, and could not attend. As for the Indian opponents of the legislation, who described the Maine Indian Claims Settlement Act as "a sellout," they bitterly objected to the provisions and compromises that did not grant the Indians all the protections possible under federal law, and they also demanded that the Passamaquoddies and the Penobscots become a foreign nation with all the sovereign rights that such status entailed. It was a position that the members of the Select Committee on Indian Affairs were bound to react to with polite disbelief, if not bemusement, since foreign-nation status was something that the federal



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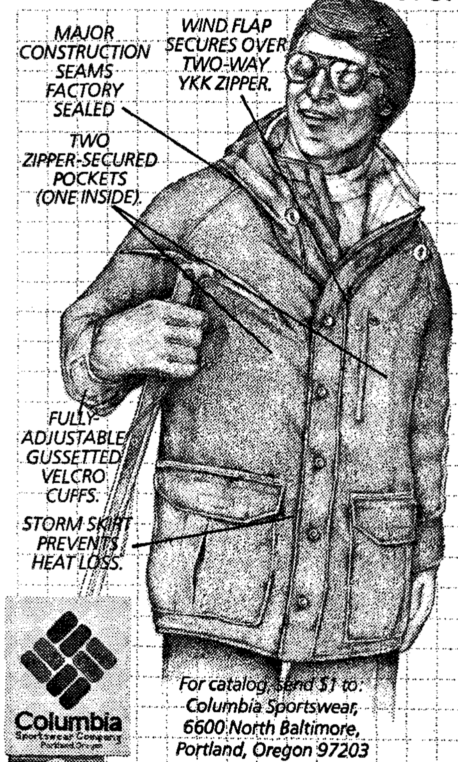
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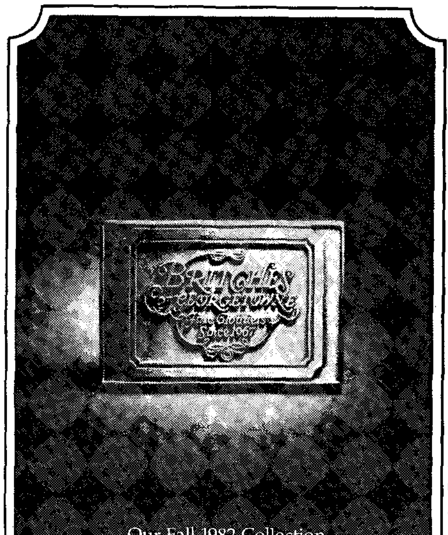

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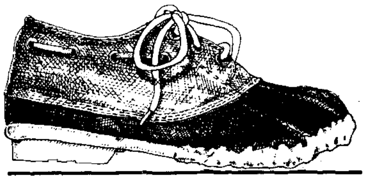

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government was not about to recognize for any Indian tribe.

After the Senate hearings, the parties to the land-claim negotiations worked out some minor technical questions raised by the Interior Department, and on September 19th the Maine Indian Claims Settlement Act was voted out and sent to the floor of the House, where it was passed into law on September 22nd. The Senate passed the measure the following day, just before Congress recessed. When President Carter signed the act with a feather pen, on October 10th, most people in Maine felt that the long-drawn-out issue of the Indian land claim had finally been resolved.

The signing of the act by President Carter was one thing, however, and for Congress to appropriate the money to carry it out was something else, especially in the last weeks of the election campaign, when, placed on the defensive because of widespread support for Ronald Reagan's austere economic priorities, Congress had become desperately sensitive to charges that it was an irresponsibly spendthrift institution. As so often had happened in the convoluted history of the Maine Indian land claim, a last-minute hitch developed simply because, wary and defensive for reasons of their own, Tureen and the negotiating committee had demanded that the extinguishing provisions of the Maine Indian Claims Settlement Act, by which the Indians would forever relinquish their Nonintercourse Act claim against all of the defendants, would not go into effect until all of the eighty-one and a half million dollars was appropriated. Thanks to some arm-twisting by Senator Mitchell, however, the necessary funds were pried out of a reluctant Senate leadership, and on December 12, 1980, President Carter signed the appropriations bill for the eighty-one and a half million, which, later that day, was deposited in the Indians' account in the United States Treasury.

Since then, the two tribes have been using this money to buy land, and at present they have bought a hundred and ninety thousand acres of the total of three hundred thousand acres called for in the settlement agreement. When I visited Tureen at his office in Portland, in August of this year, he told me that the Penobscots had already bought a hundred and fifty thousand acres, most of it in five large tracts. "One parcel lies east of the river," he said. "It consists of prime timberland, and it is in an area that has tradition-

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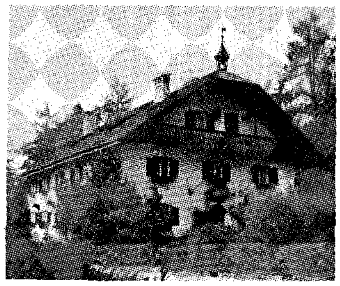

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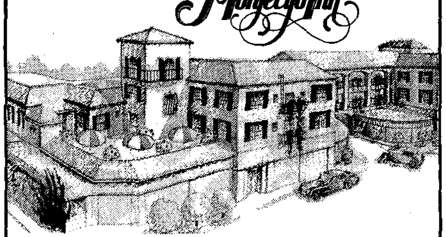

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ally been a favorite Penobscot hunting and trapping ground. Another parcel, which is about twenty-five thousand acres, lies in the Carrabassett Valley, and includes most of the land surrounding the Sugarloaf Mountain Ski Area. As for the Passamaquoddies, they are proceeding in more deliberate fashion. So far, they have bought about forty thousand acres, mostly in eastern Maine. In June of 1981, they acquired a five-thousand-acre blueberry farm near Machias, in Washington County. The farm has been enormously successful during its first two seasons in Indian hands, and the tribe is now the largest independent grower of commercial wild blueberries in Maine—a particularly satisfying result considering the fact that many Passamaquoddies used to work there as pickers. Equally satisfying to the Passamaquoddies is the fact that they have reacquired four thousand of the six thousand acres in Indian Township, which were taken from them unfairly in the years that followed the signing of the 1794 treaty with Massachusetts. Incidentally, the Passamaquoddies are now negotiating with the widow of William Plaisted, who has decided to sell them the house and the tourist cabins on the shore of Lewey's Lake, where the sit-in took place in 1964."

BACK in February of 1980, when the newspapers were announcing that the tribes and the state were close to reaching final agreement on the land-claim case, I spent a week among the Indians of Maine to see how they were reacting to the news and what they were planning for the future. My first stop was the Penobscot Reservation on Indian Island, which lies just up the Penobscot River from the falls in Old Town, about a dozen miles north of Bangor. Indian Island is three miles long and about a mile across at its widest point, and at its southern end it is linked to Old Town by a single-lane steel-girder bridge. On the day of my visit, I crossed the bridge in the early morning, drove past St. Ann's Catholic Church, which sits near the site of a mission established by French Jesuits in the seventeenth century, and continued through a small, impoverished-looking community that was densely packed with single-family frame houses and cabins, whose foundations had in many cases been wrapped with tarpaper, plastic, or fir boughs to keep the cold out. On the far side of the settlement, I stopped the car beside a

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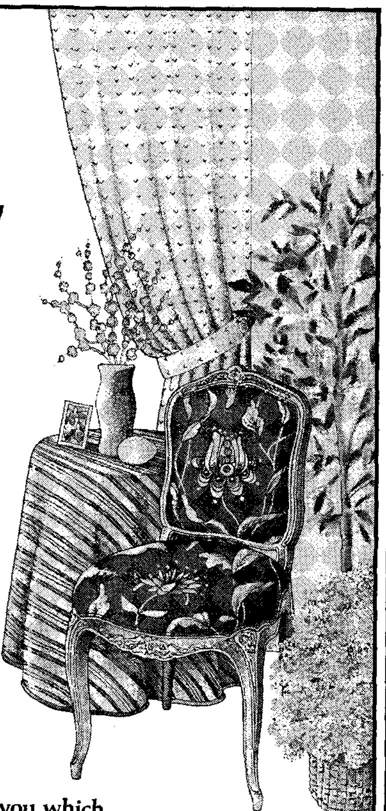

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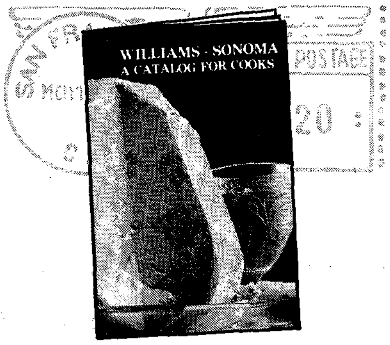

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graveyard, got out, and spent a few minutes examining tombstones, which bore such names as Neptune, Attean, Sapiel, Sockabesin, Lola, Francis, and Ranco. One of the stones had an inscription that aroused my curiosity. It read, "In memory of Louis Sockalexis, whose athletic achievements while at Holy Cross and later with the Cleveland major league baseball team won for him national fame."

Upon leaving the graveyard, I drove on along the road, which soon led to a small settlement on a wooded knoll called Oak Hill. Here, mercilessly exposed in light reflected from the ice of the frozen river, an assortment of trailers and houses huddled together in a dreary, snowless landscape whose brown-and-beige monotony was broken only by the brilliantly painted hulls of overturned canoes being stored for the winter in many of the yards. Beyond Oak Hill, the road emerged into a huge clearing, where there was a baseball diamond with a sign that read "Sockalexis Field;" a large, hangarlike Community Building that contained the Penobscot Tribal Government offices; and several smaller structures, housing a health center, a fire station, and a police station. On the far side of the clearing, a newly paved road wound for another mile or so through some deep woods, where, in startling contrast to the rest of Indian Island, a modern subdivision consisting of approximately fifty handsomely designed three-bedroom houses had been laid out in a typical suburban pattern, employing culs-de-sac.

The subdivision marked the end of the island, and when I had driven through it I returned to the Community Building to keep an appointment with Andrew Akins, who was then the chairman of the Passamaquoddy-Penobscot Negotiating Committee and tribal administrator of the Penobscot Nation. I found him in his office, at the rear of the building, sitting beneath a framed reproduction of a proclamation that had been issued on November 3, 1755, by Spencer Phips, lieutenant governor and commander-in-chief of the Massachusetts Bay Colony, offering fifty pounds sterling for every male Penobscot captured and brought to Boston, twenty-five pounds for every female prisoner, and twenty pounds for the scalp of an Indian child. A goateed, strikingly handsome man now in his early forties, Akins is Penobscot on his mother's side and Cherokee on his father's, and he was

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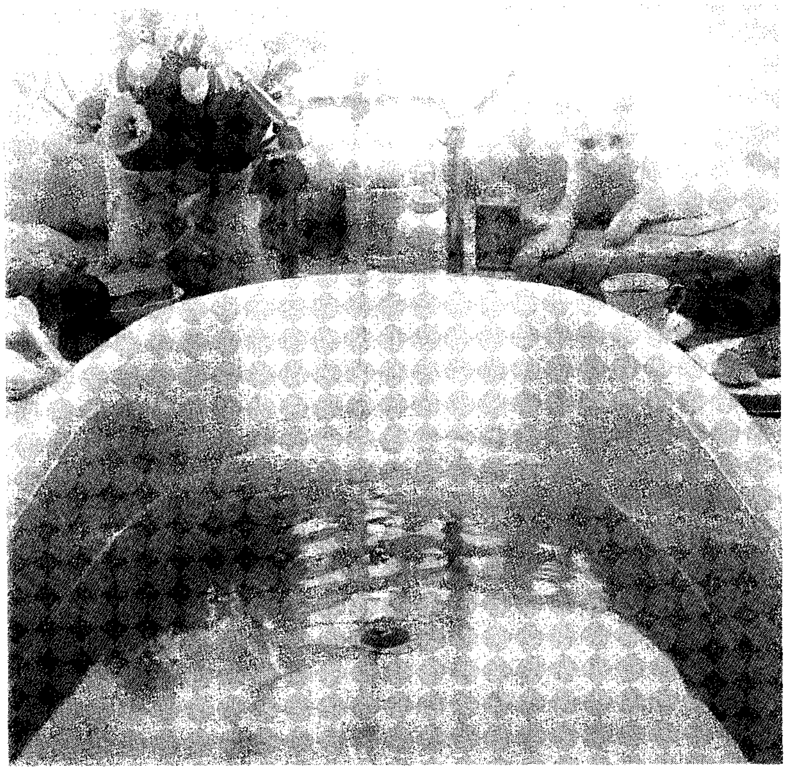

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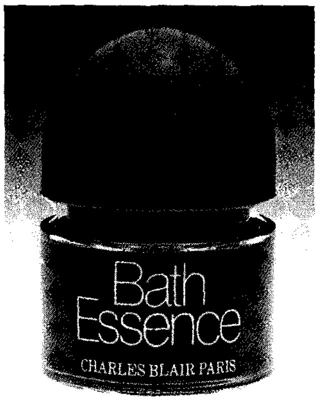

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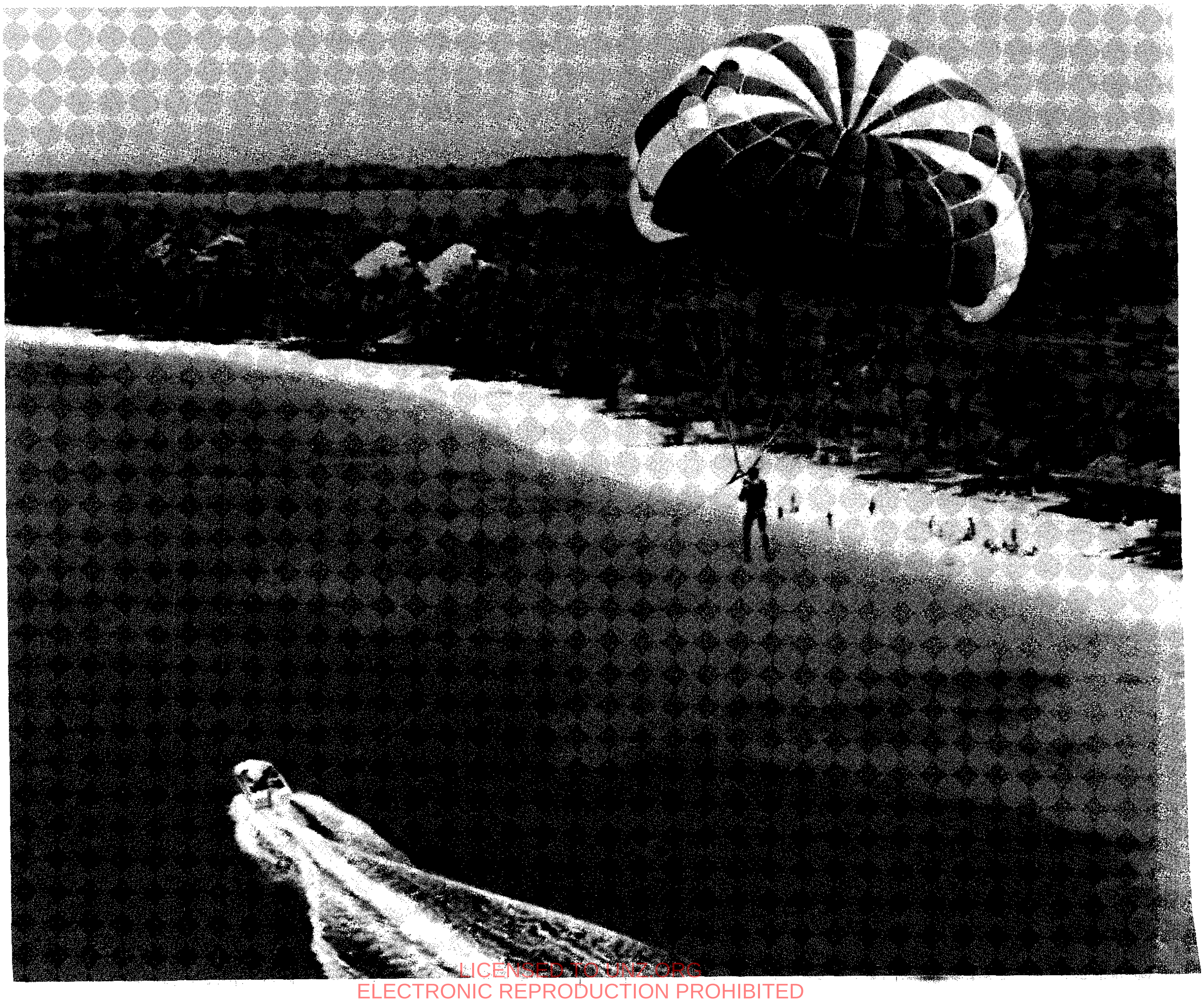

born and raised in Old Town. After dropping out of college, in 1960, he joined the Army and was sent to Arizona, where he lived for some years following his military service. In 1967, he enrolled in Arizona State University, in Tempe, and upon graduating, in 1971, he returned to Maine, where he received training in community and economic development under a program administered by the Economic Development Administration. In 1973, using a thirty-thousand-dollar grant from the E.D.A., Akins set up the Penobscot-Passamaquoddy Tribal Planning Board—an organization that was given a broad mandate by the tribes to develop and modernize the three Indian reservations in Maine—and over the next five years he obtained some thirty million dollars in federal funds for housing, schools, tribal-government buildings, health-care facilities, water and sewer lines, and a public bus system, as well as for programs dealing with alcoholism, unemployment, law enforcement, and vocational training. "We started from scratch," he told me, in a soft voice. "There wasn't much plumbing in some of the Passamaquoddy and Penobscot houses, and the annual per-capita income of an Indian was only seven hundred and fifty dollars—a third of the figure for non-Indians in Maine. Today, all that is changed. Indian houses on the three reservations have been equipped with modern plumbing and electrical wiring, and the average income of an Indian family has more than doubled. Now we're going after funds to help us relearn our language. The Passamaquoddies have had a bilingual program in their schools for a number of years, but only a handful of Penobscots can still speak the Penobscot language, and most of them are very old. We need to develop a Penobscot-English dictionary, and for this we've applied for grants from the National Endowment for the Humanities and from the National Science Foundation that will enable us to send researchers to London and Paris in order to dig up the journals of early-seventeenth-century explorers and settlers, who recorded much of our language. Imagine having to go to Europe to learn our own linguistic roots!"

When I asked Akins how he felt about the land-claim settlement that was being worked out, he smiled and shook his head. "It's far and away the most complex thing I've ever been involved in," he said. "Those of us on

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the negotiating committee have been working day and night for the past three weeks in an effort to iron out the final details of our future relationship with the state. Some people say that we shouldn't bother talking with the state, and that it would be better to go for broke in court. They point out that *we have an airtight case, and, in the* sheer legal sense, that appears to be so. However, they forget that if we did go to court it would be defendant's choice for a jury trial. Can you imagine how a jury made up of twelve white landowners would judge the merits of our claim? As for me, I can't help remembering the vileness of the reaction in Maine to the joint memorandum of understanding we negotiated with the White House. Why, it was as if we had touched a raw nerve that extended back into the innermost recesses of the true personality of the white people around here and unleashed all their deep hatred for Indians, together with their guilt for what they had done to the Indians over all the years. We had been invisible for so long, you see, that the whites simply couldn't conceive that we had any rights except those they chose to confer on us. Well, we're not invisible any longer. We're in the process of establishing our own civil and criminal laws and our own tribal courts, and once the settlement is signed and sealed we're going to take possession of our land and build upon its resources so that our children will have a better life. When that happens, we will have witnessed something that no one around here thought possible when I was young—the rebirth of an Indian nation in the state of Maine."

After leaving Akins' office, I went down the hall to chat with Glenn Starbird, a genealogist who had been working with the Penobscot Tribal Council to determine who could qualify for membership in the tribe—an increasingly important consideration now that the land-claim case was close to being settled—and with Dr. Frank Siebert, a retired pathologist, who has spent much of his life studying the Penobscot language and history. According to Starbird, who is partly of Micmac descent, probably a third of the people living in Maine today have some trace of Indian ancestry. He went on to say that candidates for membership in the Penobscot Nation are required to prove that they are at least one-quarter Indian, of which part must be Penobscot, and that out of some fourteen hundred and fifty Penobscots who are officially recognized

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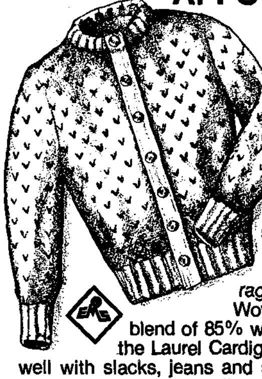

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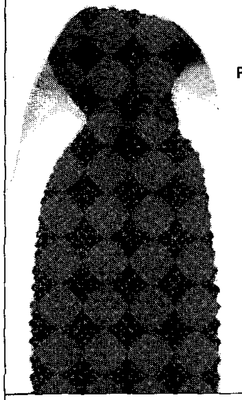

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by the Tribal Council about four hundred and fifty live on Indian Island, an equal number live elsewhere in Maine, and the rest are scattered from California to Austria. Dr. Siebert told me that many, if not most, Penobscot and Passamaquoddy names were derivations of French names that were given to the Indians by Catholic missionaries, who converted them to Christianity and baptized them. When I asked him about some of the names I had seen on tombstones in the graveyard, he told me that Attean had come from Étienne, that Lola had been derived from Laurent, that Sapiel had originally been Xavier, and that Sockabesin had been Jacques Sébastien. When I asked about the derivation of Sockalexis, he said that the "is" at the end was an Indian diminutive, and that the name meant Jacques Little Soaring Bird.

I learned more about the Sockalexis family later in the morning, when I paid a call on Francis Ranco, who had been recommended by several of the people I talked with in the Community Building as someone who knew a good deal about the history of Indian Island. Ranco, a friendly white-haired man of seventy-nine, lives in an old house near the graveyard I had visited, and when I asked him to tell me about Louis Sockalexis he beamed with pleasure. "Louis Sockalexis was one of the greatest baseball players who ever lived," he declared. "He was a hero around here when I was growing up. So was his cousin Andrew Sockalexis, who ran in the Olympic Marathon in Stockholm in 1912. But Louis was more than a hero; he was a legend. Why, people claimed he could throw a baseball clear across the river from Indian Island to the Old Town side!"

At this point, Ranco led me into his kitchen, where he rummaged through a file box, brought out an article by Bud Leavitt he had clipped from a recent edition of the Bangor *Daily News*, and handed it to me. The article described Sockalexis as a powerful hitter, a spectacular fielder, and a superb base runner, who had played baseball with extraordinary ease and grace. It went on to say that he could throw a baseball four hundred feet; that he had played at Holy Cross and Notre Dame; that between 1897 and 1899 he had been an outfielder for the Cleveland Naps; that he had hit home runs in his first two times at bat at the Polo Grounds; and that following his death, in 1913, at the age of forty-two, the Cleveland Naps were renamed the

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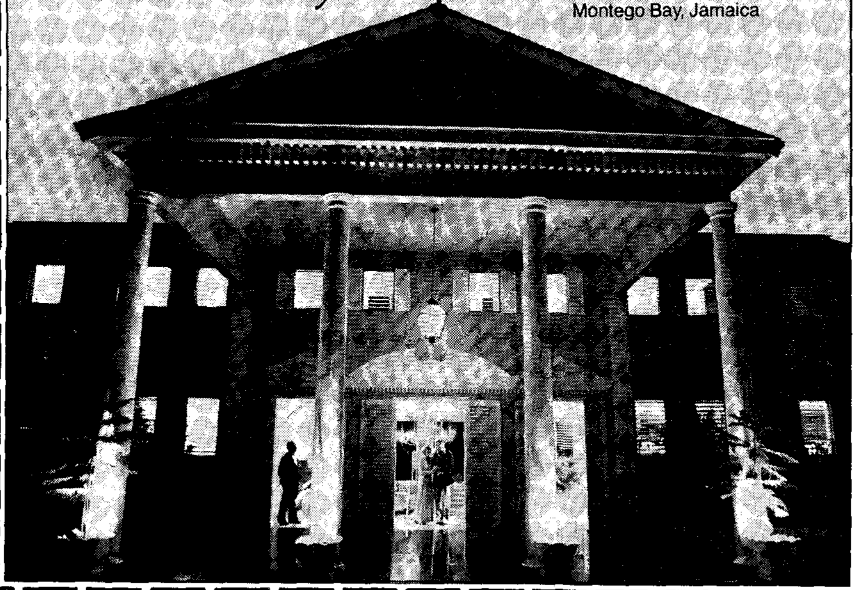

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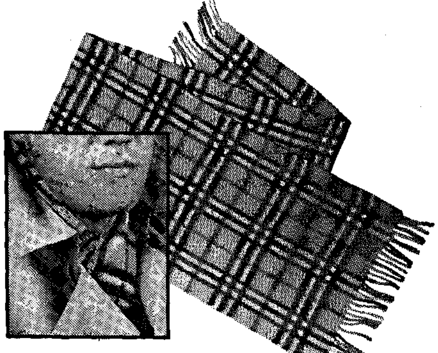

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Cleveland Indians in his honor. According to the newspaper story, many experts believe that Sockalexis might have become one of the greatest baseball players of all time if his career had not been abbreviated by a serious drinking problem. The account ended on a sad note. It said that Sockalexis had spent his last years drifting from one New England sandlot to another, giving batting and throwing exhibitions, which were often paid for with a drink of whiskey.

After I finished reading the article, I asked Ranco when he first became aware that the Penobscots had lost their land unfairly, and he replied that he had heard it discussed when he was a child. "The elders talked about it all the time," he said. "My father's father, Peter Ranco, told me about it when he first took me muskrat trapping, before the First World War. My other grandfather, Joseph Francis, who ran some fishing camps up on the west branch of the Penobscot River, above Millinocket, also talked about it. He told me that his great-grandfather, Sockabesin Swassin, who lived in this very house one hundred years ago, when the first nuns came to Indian Island to open up the school, had talked about it to him. During the Second World War, a cousin of mine went down to the State House in Boston and did some research on what had happened to our land. When he returned, I remember, he talked about our rights under some treaty or other, but nothing ever came of it. Then, in 1951, the bridge was built. That opened up Indian Island to visitors and new ideas. Until then, we had been awfully isolated. In the fall of the year, we often had to wait for days on end for the ice to make up thick enough to support our weight. In the late winter, we used to pack sawdust on the ice so it would last longer and we could keep driving cars across, but in the spring we would be stuck out here all over again while we waited for the ice to thaw, so we could launch our bateau ferry. It was a wooden boat that seated a dozen people, and old Sylvester Francis rowed it back and forth for years, charging ten cents a ride."

Ranco went on to say that not long after the bridge was built a lawyer from Massachusetts, whose name was Murphy, visited Indian Island and urged the Penobscots to initiate a land-claim case. "Murphy wanted us to declare our independence from Maine and then go before the United

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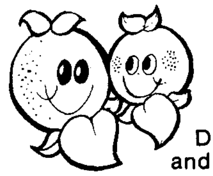

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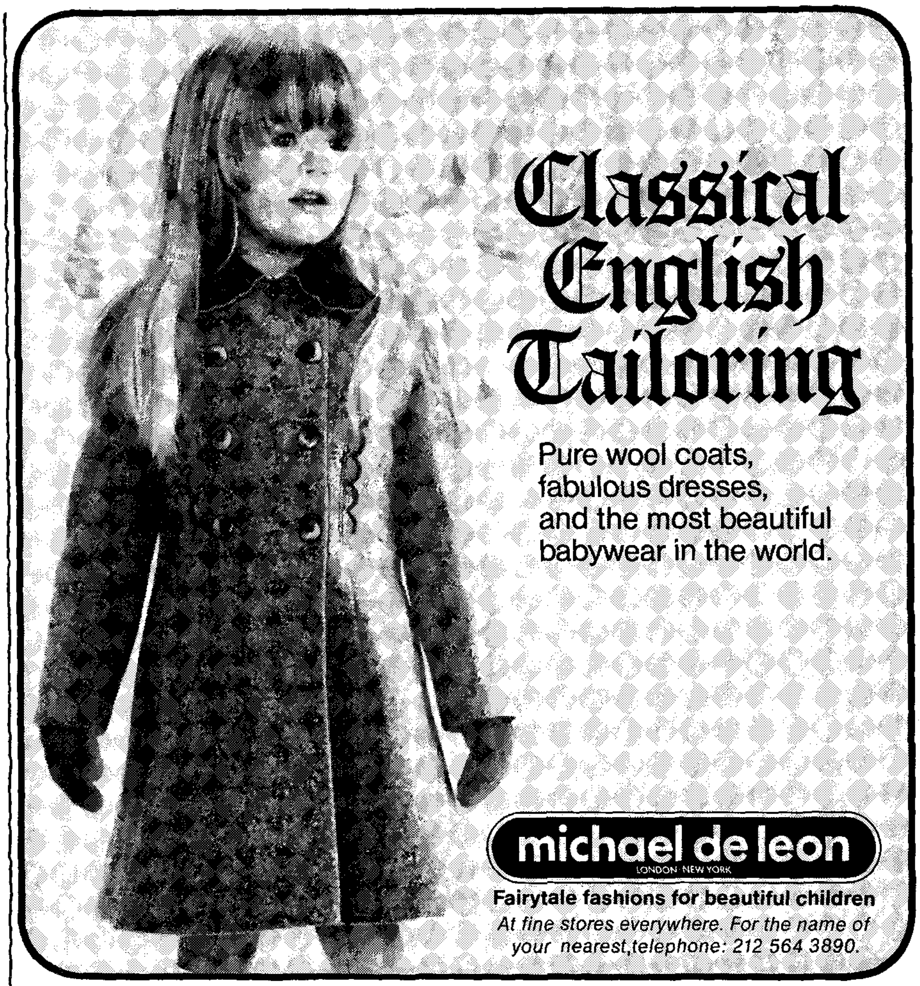
Nations and claim that we were a sovereign nation," he said. "Nothing came of that idea, because the older people, who depended on the state for relief money, were afraid that if we tried to break away from Maine they would lose everything. Murphy got us to thinking that we might have a legal case, however, and that helped pave the way for what has happened since. As for the out-of-court settlement, I predict that the people here will go for it. I know I will. Believe me, I never thought I'd live to see the day."

It was almost lunchtime when Francis Ranco and I finished talking, so I drove back to the Community Building to get something to eat at the canteen there. As I came through the front doorway, I encountered Tom Tureen, who was just coming out of the tribal governor's office. He was in the middle of what for him was a fairly typical day. He had awakened at six o'clock and breakfasted with his wife and children in the renovated farmhouse they live in, about twenty-five miles west of Portland. Then he had driven to the Portland airport, climbed into his plane, and flown to Augusta to discuss some last-minute changes in the out-of-court settlement with the state attorney general. Shortly before noon, he had flown from Augusta to a small airstrip just north of Indian Island in order to confer about the changes with the Penobscot members of the negotiating committee. He was now about to take off again and fly eastward across Washington County to Princeton, in order to spend the early part of the afternoon with his Passamaquoddy clients at the Indian Township Reservation. Then, weather and time permitting, he hoped to fly to Eastport, so that he could discuss the latest developments in the case with the Passamaquoddy leaders at the Pleasant Point Reservation. Afterward, he would fly along the coast back to Portland—a distance of some two hundred miles—climb into his car, and drive home in time to have a late supper with his wife.

Over coffee and a sandwich in the canteen, Tureen asked me to give him a lift to the airport, and said that he was eager to straighten out the final details of the settlement so that it could be ratified by the tribes, passed by the state legislature, and introduced into Congress before the summer recess. As we left Indian Island a few minutes later, he told me that he and the negotiating committee had just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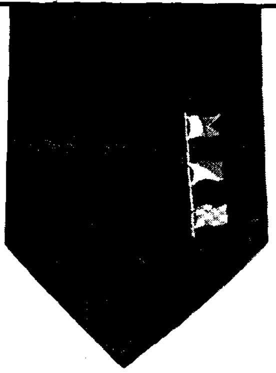

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persuaded state officials to agree to a plan under which the three hundred thousand acres being returned to the Indians would not be subject to state property taxation. When we got to the airport, I accompanied Tureen to his plane—a blue-and-white 1972 single-engine Cessna that was parked beside a macadam runway—and he climbed in and spent a few minutes checking his instruments. Then, just before starting the engine for takeoff, he leaned through the window and gave a smile. "I'll be climbing to five thousand feet, and flying to Princeton over some of the most beautiful forestland in the entire United States," he said. "In about fifteen minutes, I'll be looking down upon a wilderness that is going to be held in trust for the members of the Passamaquoddy and Penobscot tribes and their descendants forever."

THE next day, I drove east on Route 9 from Bangor to Calais and then south on Route 1 to Perry, where I paid a brief visit to the Passamaquoddy Reservation at Pleasant Point. Pleasant Point is a small promontory that juts out from Perry into Passamaquoddy Bay, and the reservation, where some six hundred Passamaquoddies make their home, is on a treeless hundred-acre tract at its very tip. Following the 1794 treaty with Massachusetts, the Indians lived there in comparative isolation for more than a century and a half. Then, in the nineteen-fifties, without consulting the Passamaquoddies or paying for the land, the state built a causeway across the bay, linking Pleasant Point with Eastport, and proceeded to lay down a highway right through the middle of the reservation. On the day of my visit, I drove over the highway, entered the reservation, and climbed out of the car. A fiercely cold wind was blowing out of Canada across Passamaquoddy Bay, the wind-chill factor was way below zero, and the place looked and felt like an outpost in the Aleutians. I wandered around for a while, and came across a tablet mounted on a stone, which had been placed there in 1918 by the Daughters of the American Revolution. "In honor of the Indian Patriots for their loyal service during the Revolutionary War," it said. I got back in the car, drove back to Calais, and headed north on Route 1 to Indian Township, where I had an appointment to see George Stevens.

A gaunt, reticent man then in his late fifties, with sad eyes and a gen-

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tle manner, Stevens, who was director of the Housing Authority at Indian Township, as well as a member of the Passamaquoddy-Penobscot Negotiating Committee, was waiting for me in the tribal-government office building that sits by the highway, opposite Lewey's Lake. We talked a bit about the land-claim case and some of the things that had happened during the sixteen years since the day he heard the chain saw start up in the woods adjacent to his house and went outside to find out what was going on. Then we got into his car and drove out to the settlement at Peter Dana Point. On the way, Stevens showed me the house he lives in, on the shore of Lewey's Lake, where he and his wife have raised sixteen children, and the nearby tourist cabins owned by William Plaisted's widow. When we got to Peter Dana Point, he showed me the tiny cottage that Louise Sockabesin had lived in when she showed his brother John her copy of the 1794 treaty with Massachusetts, and the parish hall, where the Passamaquoddies had met when they decided to stage their sit-in. Stevens pointed out these places in a matter-of-fact way, with a minimum of elaboration, and then he turned the car around and headed back toward the tribal-government offices. Dusk was falling while we drove along Route 1. As we were approaching Stevens' house, he slowed the car, pulled it over to the side of the road, and, leaning forward, peered through the window beside me. Following his gaze, I looked across a field that lay adjacent to some woods, and saw the silhouettes of several of the Plaisted tourist cabins outlined against the frozen surface of Lewey's Lake, which was reflecting the last light of day. A few moments later, Stevens called my attention to a low mound, covered with dead grass and weeds, that sat at the edge of the field, a few yards from the car. I looked at it and then at him, and saw that he was smiling. "This is where it started," he said softly. "This is where we got arrested, and that's what's left of the sand pile."

—PAUL BRODEUR

◆

The first fund-raising event for the benefit of the new Westfield Symphony Orchestra will take place on Saturday, Sept. 11 at the Foodtown on Elm St. in Westfield. The sale of baked goods and foods will begin at 9 a.m. and continue until the supply lasts.—*Westfield (N.J.) Leader.*

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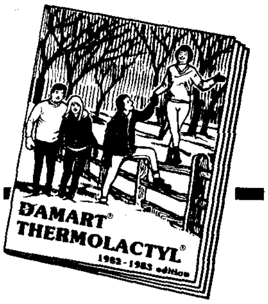

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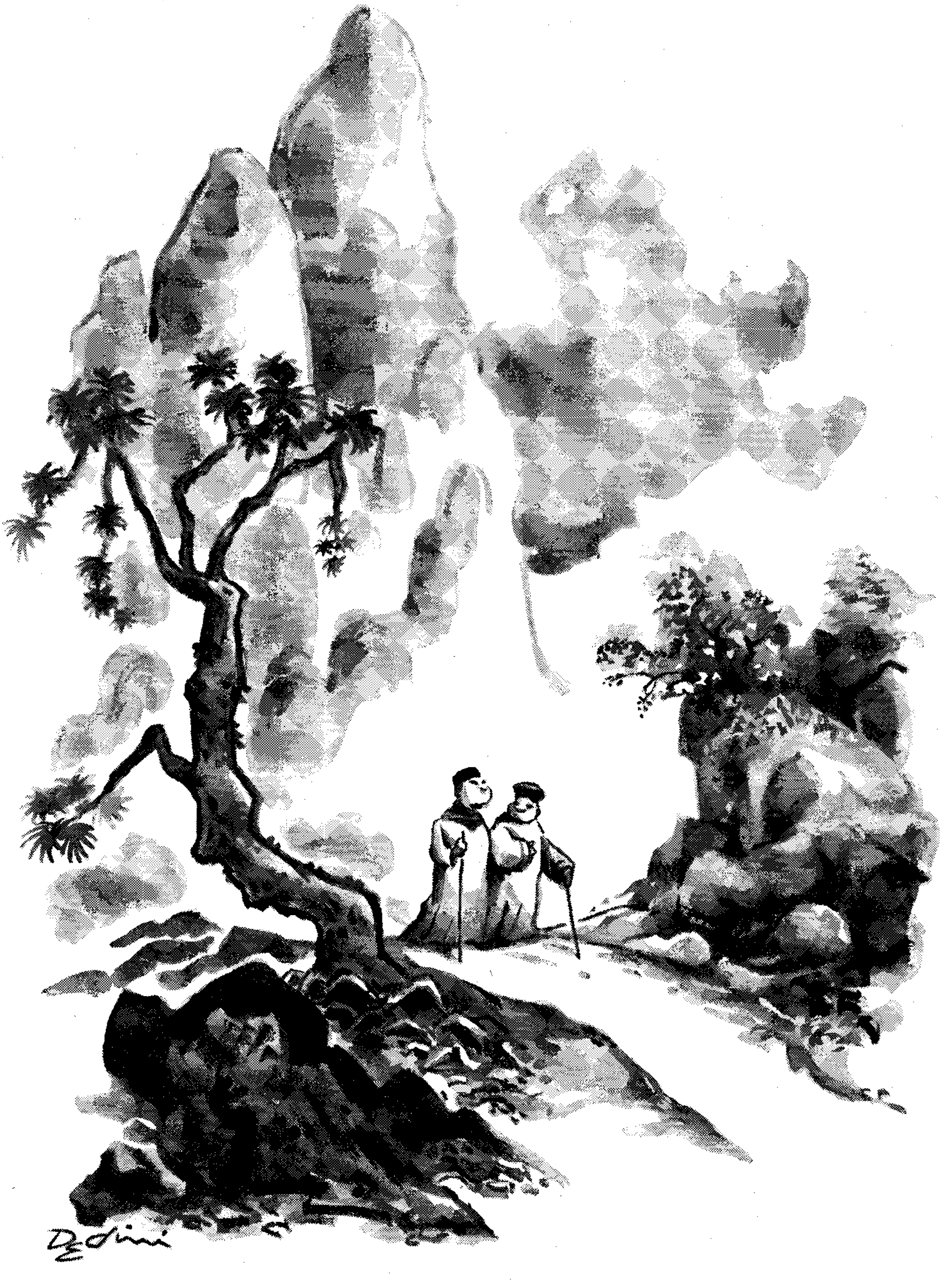
THE THEATRE

Pinchbeck Profundities

If nothing is so irresistible as an idea whose time has come, perhaps it follows that nothing is so easy to resist as an idea whose time has come and gone. That is the situation we confront in respect to "The Queen and the Rebels," a play by the Italian dramatist Ugo Betti (1892-1953), which has just opened at the Plymouth. The play lies on the stage like the mummified corpse of some ancient Danish bog man; nothing can bring those brown bones to life. Betti was a judge as well as an author, and his plotting is worked up as if it were an opinion, with a methodical exactitude that blunts every turn of his not very novel tale. To make matters worse, Betti is one of those old-fashioned dramatists who believe that a calculated anonymity of place and circumstance will convey an impression of profundity which a mere down-to-earth naming of names would never achieve. The program informs us, "The action of the play takes place in a large hall in the main public building of a hillside village. The time is the present." Where are we? In what country on the face of the earth is this hillside village to be found? All that we know of it is that it is ruled by a queen and is, at the moment, in the throes of a revolution. We steel ourselves against the next inescapable pinchbeck profundity: in the hall will be an assortment of half a dozen characters who, detained by the revolutionaries and responding to the stress of interrogation, will little by little reveal their true natures. One of these characters is sure to be a woman of easy virtue who will prove to be noble of heart and will sacrifice herself for the good of others.

In his native tongue, Betti is said to write with a lyrical persuasiveness about the injustice of life and the charity of God, but lyricism is nearly always the first victim of the translator, who in this case is Henry Reed. (The translation goes back to a production of "The Queen and the Rebels" that was given in London in 1955.) The cast of the present production is a competent one, headed by Colleen Dewhurst and including Peter Michael Goetz, Scott Hylands, and Betty Miller, but despite their best efforts the lines they speak have an implausible ring; and the offstage burst of machine-gun fire that brings the play to a close is pure theatre and impure art. We are only too well aware that there are neither bullets nor crumpled bodies in the wings—only performers waiting to take their hard-earned bows. The handsome, Piranesi-like scenery is by David Jenkins (he appears to have imagined Betti's hillside village as being somewhere in Umbria), the costumes are by Jane Greenwood, the lighting is by John McLain, and the direction is by Waris Hussein.

—Brendan Gill



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She wears the face of Ireland itself: old and rain-fresh. She was in the kitchen brewing tea when I arrived, and her late husband, Tom, sat rocking in the living room. He raised his cane, motioning to me.

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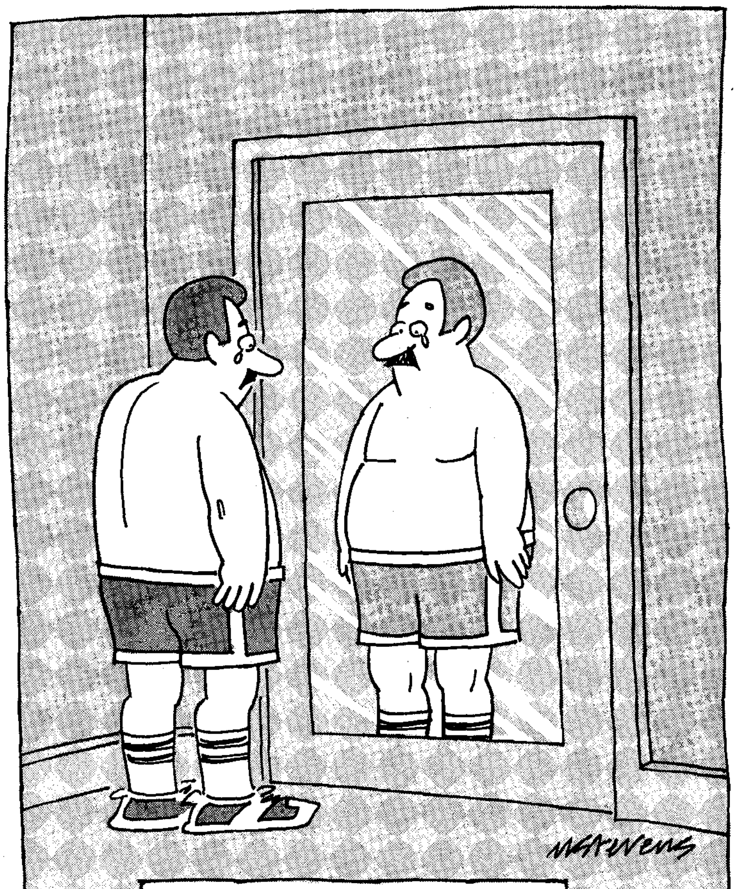
MUSICAL EVENTS

Opera in Earnest

THE Metropolitan Opera season opened with a revival of “Der Rosenkavalier,” a long opera about rather little. Strauss, as that sage critic Richard Capell once remarked, treats a theme of sensual frivolity with the thoroughness of a German encyclopedist. (The result is a masterpiece, Capell swiftly added.) It was the company’s two-hundred-and-eighteenth performance of the work, and the latest in the long list of Met Marschallins—which opens with Frieda Hempel, in 1913, and includes most of the role’s famous interpreters—is Kiri Te Kanawa (who essayed the part for the first time last year, in Paris). She looked beautiful, and even disconcertingly younger than the Octavian, Tatiana Troyanos, and the Sophie, Judith Blegen. The composer described his heroine as “a young, beautiful woman of thirty-two at the most,” and Dame Kiri is only six years older. The model for her interpretation seems to be Elisabeth Schwarzkopf, not the more spontaneous and lovable Lotte Lehmann, but she was less individual and specific than either. Cool, gracious, and dignified, maintaining an all-purpose, enigmatically rueful half smile, she glided exquisitely through the opera. There were some lovely sounds, others that were murmurings rather than Hofmannsthal’s words given precise and poignant utterance. She has the physical and vocal capacities for the part, and perhaps she already feels it keenly and intricately. Time will show whether she learns to make her listeners feel it with her.



DEATH OF A SUNTAN

Miss Troyanos’ Octavian and Miss Blegen’s Sophie—carefully studied and capably sung—are familiar impersonations. Kurt Moll’s Baron Ochs began well but as the evening progressed grew broader and coarser. He may have been tempted to play up—play down—to an audience on whom subtleties of merely verbal inflection were likely to be lost. “Der Rosenkavalier” is a wordy opera and needs to be followed word by word. The first volume of the Metropolitan Opera Classics Library (Little, Brown), a new series, is devoted to “Der Rosenkavalier,” and in a frank foreword the Met’s general manager, Anthony Bliss, writes:

> The use in opera of . . . languages other than our own narrows rather than expands their immediacy and their hold over us. We are all aware of having to “read up” on the story of an opera before attending a performance—or, drearier still, of having to sit through three or four acts without ever really knowing who is saying what to whom. Far too often the drama is lost completely, and the whole opera itself becomes clouded over, dusty like a museum piece.

The volume contains a synopsis and a libretto with facing English translation (not literal but the old Alfred Kalisch singing version, slightly revised), and also “the story of the opera” retold by Anthony Burgess as a novelette—not quite accurately, and in tones that would surely make the fastidious Hofmannsthal wince. There are illustrations, two essays, and interesting but incomplete Met statistics. As an introduction to the work, the English National Opera Guide to “Der Rosenkavalier” (published here by Riverrun, at $4.95, as against $16.95 for the Met volume) is a better value: its essays are fuller and more interesting, there is more about the music, and the Kalisch translation is extensively revised.

The Met production—Nathaniel Merrill’s of 1969, designed by Robert O’Hearn—has been carefully maintained. It was not dreary or dusty. In Act I, the Marschallin’s bed is on the wrong side—stage left instead of stage right—and this produces some novel, if finally unconvincing, sonic effects: the lovers’ voices are separated from the violins. In “Richard Strauss: The Staging of His Operas and Ballets” (Oxford)—a fine album of sets, scenes, and commentary—Rudolf Hartmann reproduces the Met’s Act II with the remark “Too many decorative details crowd the room.” Act III works well in the main, but the Marschallin’s grand entrance is muted, and the scenic echoes, surely deliberate, of Act I are not sounded. James Levine conducted. The three preludes were rather noisy, bangy, and vulgar, but then there was refined playing, care, and eloquence.

“LA FORZA DEL DESTINO” is a long, turbulent opera about many matters, foremost among them Verdi’s belief that in this world it is vain to hope for untroubled happiness—that for a person of sensibility and spirit retreat into a cloister or ivory tower provides no serene refuge. The opera chimed with the composer’s attempts to renounce the hurly-burly of theatre life and with his experience as a member of the first Italian parliament. Donna Leonora and Don Alvaro enact his theme against a background of popular, religious, and martial activity; the consolations no less than the confinements of the Church and the exhilarating splendors no less than the miseries of a war in a just

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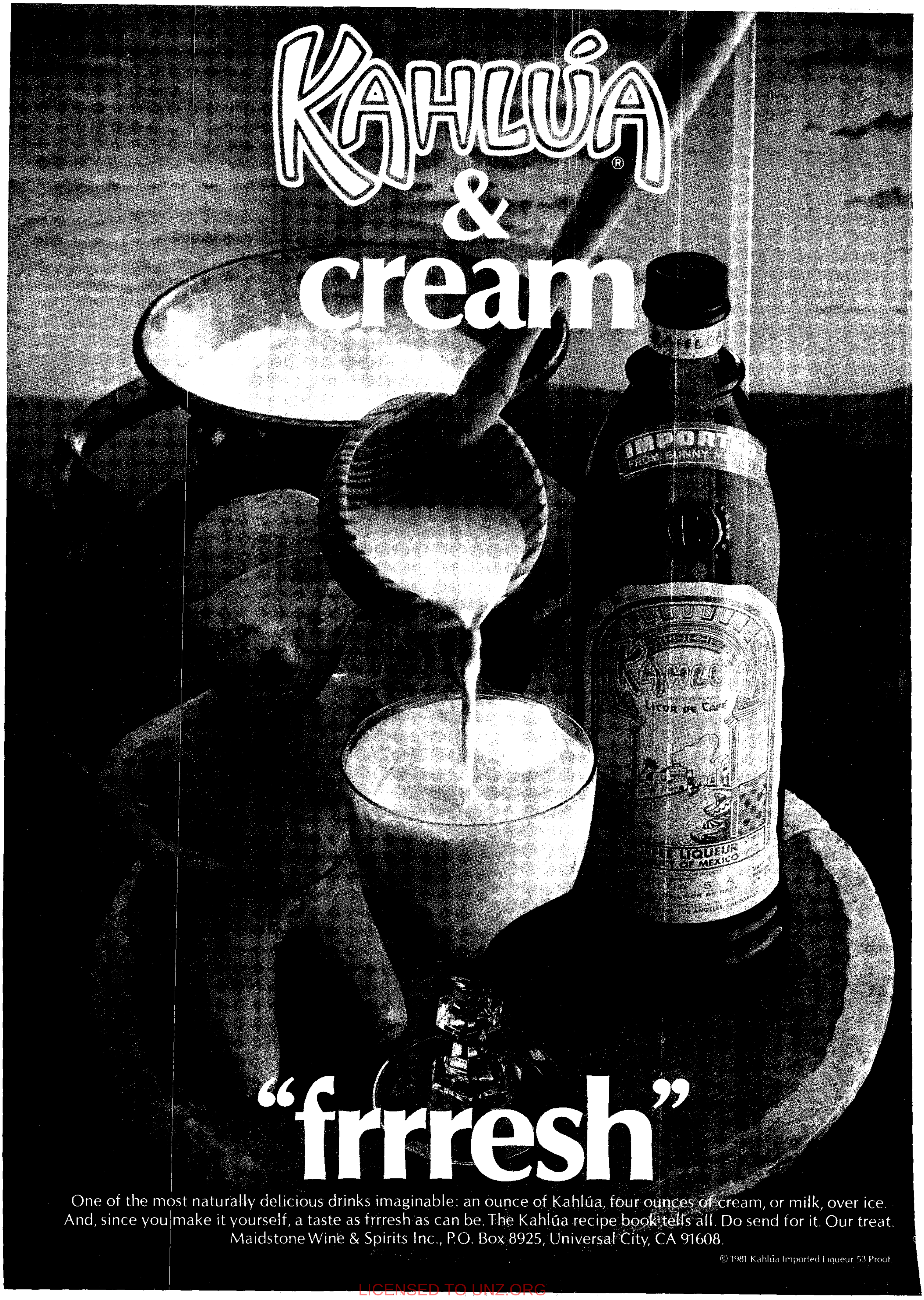
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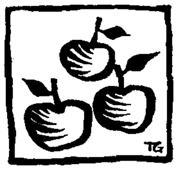
cause are vividly portrayed. The Met's revival of "Forza," directed by John Dexter, was well conceived, although its execution was of mixed merit. The edition used was Verdi's 1869 revision, with its tacked-on Christian ending in a spirit of Manzonian resignation to fate. Antonio Ghislanzoni wrote the words for it, and the scene resembles one in his "Promessi Sposi" libretto for Errico Petrella. The very fact that this trio-finale, fine music though it be, sounded glib, false to what had gone before, showed that the performance had caught the spirit of Verdi's original intention. And Act III had been reshaped in its spirit. In 1862, the act consisted of: Alvaro aria; Alvaro-Carlo duet, Carlo aria; Scenes of military life; Alvaro-Carlo duet, Alvaro aria. In 1869, Verdi removed the final aria; placed the second duet earlier, dividing it from Carlo's aria by a new little *ronda*, or dawn patrol; and ended the act with the scenes of military life. The Met, omitting the *ronda*, restored the original order but not the aria-finale. When it first tried this arrangement, in 1975, I was dubious, but since then I have got to know and admire the original, unrevised "Forza" in the theatre. The Met solution is more shapely and more dramatic than the revision, and preserves the pattern of partings and reunions. (Heroine and hero meet only in the first and last scenes of this unconventionally but excitingly constructed opera.) If four minutes more running time can be allowed, and if the tenor is up to it, perhaps the aria-finale could be restored; the act now ends abruptly—though not ineffectively—with recitative cut short by a cadence that Verdi didn't write, and it ends in the wrong key.

Leona Mitchell sang her first Leonora in warm, full tones that flowed evenly without any forcing. It was not a temperamental performance, but it sounded good and was accurately phrased. The two baritones were fine—Sherrill Milnes an alert, trenchant Carlo, and Gabriel Bacquier a rounded, fervent, entertaining, and unclowned Melitone. The Alvaro, Giuseppe Giacomini, was crude. The Preziosilla, Isola Jones, squawked her higher notes. The Father Guardian, Bonaldo Giaiotti, was dull. Mr. Levine's conducting was at once committed, energetic, and ponderous; the score seldom moved at convincingly natural paces or sounded as if the singers' declamation and phrasing had determined the accompaniment. Nevertheless, this was a serious attempt to show that the great drama is far more than a sequence of good musical numbers in picturesque settings.

THE Met's "Boris Godunov," rich yet sombre in its staging, directed by August Everding, has the same integrity and coherence. This season's revival is conducted by James Conlon and is his finest achievement: broadly paced, grand, yet poetic and emotional, with instrumental lines and colors direct in their eloquence. The edition used is a conflation of Mussorgsky's first and second versions, containing more music than the composer ever intended to be played in a single evening. The result could be unwieldy but proves not so, because Ming Cho Lee's scenes change swiftly and the "dramatic iconography"—in which Gil Wechsler's lighting has an important part—is so striking. But unless a Princess Marina smoother and more seductive of voice than Mignon Dunn was and a less boring Rangoni than John Darrenkamp can be found, the Polish act—Mussorgsky's afterthought—might as well be omitted. The time gained could be used to restore passages missing from the study scene. The Kromy Forest scene is this season played without some cuts that disfigured it before.



Martti Talvela is a Boris without the bite of his great predecessors, but in his slightly soft-grained way he is imposing. His histrionics looked calculated; one noticed him preparing to overturn the heavy table, claw down the curtains, take a spectacular final tumble. Wieslaw Ochman was a strong, fine-drawn Grigory, though the fountain duet needed a sweeter timbre. There were good performances from Robert Nagy (Shuisky), Paul Plishka (Pimen), Donald Gramm (Varlaam), and several others. James Atherton's Simpleton should have been more simply played and sung. The chorus's curious log-rolling exercises in the final episodes suggested that rehearsal time had run short. But, all in all, this was a noble and stirring account of the piece.

ANY weaknesses in the performance of the three long, difficult operas were those of individual artists. The aim was earnest. The composers were served. But a fourth long, difficult opera, "La Gioconda," which completed the repertory of the Met's opening weeks, was less scrupulously treated. It seemed to have been shovelled onto the stage: choruses lined up in V-formation to stand and sing; lighting was largely by jerky follow-spots; the soprano's and the tenor's chief concern was apparently for volume; and the strange, special quality of a fascinating work was scarcely apparent. Boito's unconventional libretto is in many ways a sketch for his "Otello," while Ponchielli's score is a bid for the popular success that his "Promessi Sposi" and "Lituani" had nearly but not quite won. After beginning work on the piece, the composer confessed to a friend that he had "no faith in the libretto," with its "frequent high-flown conceits," elaborate metrics, and "involved expression in which I cannot find the ideas I want." (There were many revisions, but in the final version the third-act finale is still launched with the general cry "A fatal vampire's hand passed over us, and to a funerary brand transformed every torch;" in the fourth-act duettino, Enzo calls Gioconda a "furibund hyena.") "Cavalleria Rusticana" was fifteen years in the future, and "La Gioconda" is reckoned a pre-verismo opera, but the composer had to struggle to keep it one:

> In Gioconda's role, all is rage, suicide, jealousy, poison, and the hell that these exaggerations have introduced in recent times, whereby the singer is held to *the word and the note*, with the straining of throats that must continually declaim or croak. We are off the track, dear friend. Verdi, who says "Let's go back to the old ways," should set us an example. . . . The public wants smooth, clear things, melody, simplicity; and we do all we can to shroud ourselves in confusion and complexities. Boito is forcing me in that direction. But I hope I'll have enough common sense to keep clear of the abyss.

"Otello," on both Boito's part and Verdi's, triumphantly combines verismo and traditional ideas. "La Gioconda" shows them in arresting conflict. Compare Alvise's rhetorical iteration of the line "La morte è il Nulla, è vecchia fola il ciel," in the second edition of "La Gioconda," and Iago's terse, chilling utterance of the same line at the close of his Credo.

It is a mistake to think that verismo opera—let alone "La Gioconda"—should be bawled. Fernando De Lucia, the most elegant and exquisite of the "old-style" tenors, turn-of-the-century successor to Giuliano Gayarré, the first Enzo, and to Roberto Stagno, the first Turiddu, was a favored interpreter of the verismo composers. Eva

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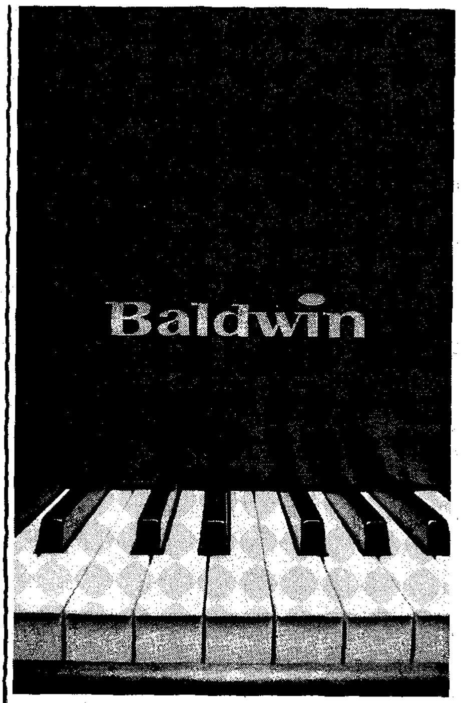
Marton, the Met's new Gioconda, set about the part like a provincial Santuzza, and there was little "music" in her voice. In an unrefined way, her vigor and loudness were exciting and not without effect. Abuse of the chest register, Manuel Garcia remarks in his classic treatise on singing, will "in a comparatively short time injure the whole instrument and reduce it to the state of a 'broken voice.'" Miss Marton's strong voice still holds together, just, but she seems bent on tearing it to tatters. Placido Domingo's first Met Enzo was disappointing, without bloom or freshness to the tone, without poetry in the manner. The timbre had a rough edge; the style was forceful, manly, but unromantic. Cornell MacNeil's Barnaba, on the other hand, was admirably sung—purely, fully, with every note and every word in place. But there was no dramatic projection of the character. (I attended the second performance, when Mr. MacNeil, unwell, retired after Act III; Richard Clark finished the role.) The new Alvise, Ferruccio Furlanetto, was a cipher. The new Cieca, Patricia Payne, was a wobbler. The Laura, Bruna Baglioni, was poised, patrician, clear and steady in tone, and altogether admirable. Giuseppe Patané was a sound conductor. "La Gioconda" offers as many textual variants as "Boris," "Forza," or "Don Carlos." The Met sticks to the fourth, final version.

THE San Francisco Opera season opened with a revival of "Un Ballo in Maschera." I saw the sixth performance, by which time the first-night Amelia, Riccardo, and Renato, who were Montserrat Caballé, Luciano Pavarotti, and Silvano Carroli, had been replaced by Rebecca Cook, Vasile Moldoveanu, and Pablo Elvira. Miss Cook is a promising young soprano, a bright graduate of Kurt Herbert Adler's "academy," which has nurtured operatic talent through big roles with his small companies and small roles with his big one. Next year, she becomes a leading soprano in Mannheim, which has a thousand-seat house. The voice was not really ample enough for a big-house Amelia, but as a "cover" performer she won admiration. Her manner was confident, the sound was often shining, and she has a natural feeling for the swell of a Verdi phrase. Mr. Moldoveanu—a Met Don Carlos—is among the more distinguished Verdi tenors of our day. The timbre may not



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be glamorous, but it is sterling, unforced, and true. His phrasing was sensitive and well molded, his portrayal sharp-cut and aristocratic. (San Francisco uses the royal Stockholm setting for the drama, although the courtiers sang the opening chorus to the Massachusetts text.) Mr. Elvira was a correct and satisfactory Renato. Ruža Baldani was the first Ulrica I have heard in many years who sang the satanic invocations firmly, potently, and with dramatic imagination. Kathleen Battle was a perky, pretty Oscar, despite the slow tempi set for her songs and her tame adherence, except once, to the letter of the text. There were striking performances from Kevin Langan, as Samuele; Thomas Woodman, as Silvano; Jeffrey Thomas, as the Judge; and Peter Kazaras, as Amelia's servant, who has only one F-sharp and twenty-eight B's to sing but was given further appearances in Sonja Frisell's production. Miss Frisell's work was no more than "functional"—and less than that in the unreal, arbitrary maneuvers of the love duet. Mr. Adler's conducting had scope and sweep; his visionary grasp of the whole drama more than made up for some passing moments of ragged detail. John Conklin's rich décor is well scaled to the scenes, is apt for the action, and provides a "Ballo" setting of uncommon beauty.

San Francisco's "Norma" revival brought back Joan Sutherland in ringing, powerful voice and Marilyn Horne in brazen, brilliant cry. And both ladies acted conscientiously. But "Norma" needs more—the sort of dramatic genius that once led London critics to acclaim Giuditta Pasta in the title role (which Bellini had composed for her) even when she sang so flat that the winds gave up trying to accompany her. The San Francisco Pollio, Ermanno Mauro, was clumsy at first, fairly decent in the final scene. The Oroveso, Ezio Flagello, sounded threadbare. Richard Bonynge conducted crisply, sometimes with a briskness that verged on the perfunctory. Should the noble and, in recent decades, much-performed opera perhaps be shelved again until some new Lilli Lehmann, Ponselle, or Callas arrives to take up the druidess's mantle? Lehmann deemed the title role ten times as exacting as Leonore. And Mr. Bonynge introduced Dame Joan's recording by remarking that "the singer who can be a complete Norma probably has never existed."

—ANDREW PORTER

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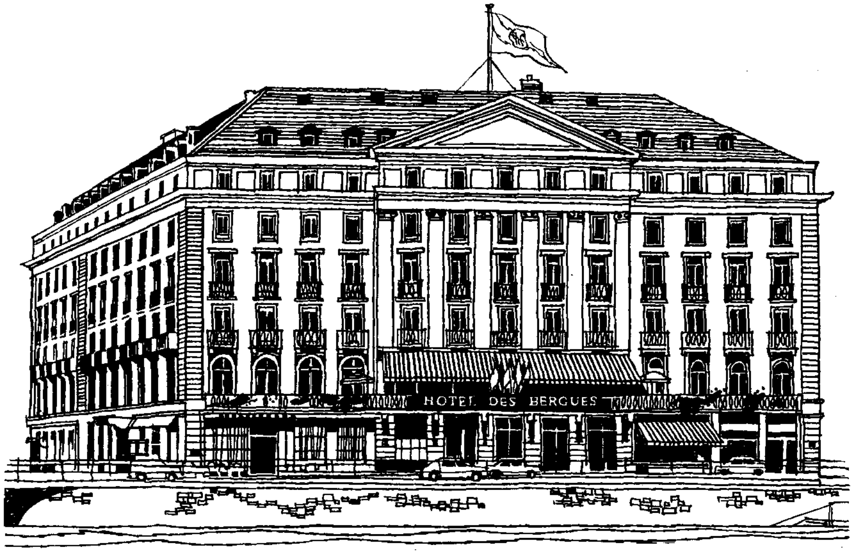

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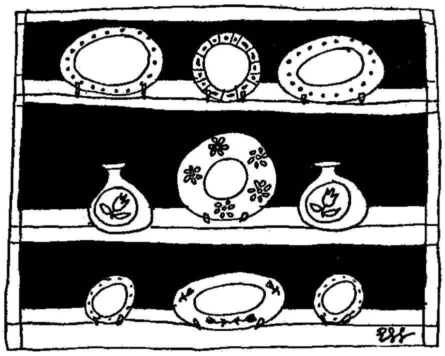
AROUND CITY HALL

MORNING AFTER

THE weather on September 23rd, Primary Day in this state, was pleasantly cool and sunny, which would encourage a good turnout at the polls. This was welcome news to Mayor Edward Koch, who had said many times that the larger the number of voters that day the better it would be for him in his race for the governorship. Since last February, when, a few weeks after he was sworn in for a second term at City Hall, Koch announced that he was running for Governor, his victory in the primary had been treated as a sure thing by nearly everyone except those in the camp of Lieutenant Governor Mario Cuomo, his opponent for the Democratic nomination. Throughout the campaign, the Mayor had stressed the importance of his not only winning but winning by a big margin, because this would mean that in the general election Cuomo, who already had the Liberal Party nomination, would be unable to raise enough money and attract enough political troops to make a strong race on the third-party line. Inside City Hall—the two-and-a-half-story Renaissance palace, completed in 1812, that Henry James called "the divine . . . the elegant, the gallant little structure," and that comes as a revelation to many out-of-towners, who think all New York buildings that aren't slum housing are chrome-plated skyscrapers—everything was quiet on Primary Day, as is often true when the head of a house is off somewhere. At the foot of City Hall's steps, shortly after noon, Richard Iacona's Bad Little Big Band was playing Gershwin tunes while workers in the area—municipal employees and others—sat about on the marble steps eating their deli sandwiches and swaying their shoulders to the music. A few hundred feet to the east, gleaming in the sun, was the Brooklyn Bridge, which next May will celebrate its centennial—an event at which the Mayor, who loves celebrations and presides over them with immense verve, would be only an honored visitor from the state capital; that is, if all worked out as he and most of the New York political establishment expected. Presiding over the centennial would be Carol Bellamy, now President of the City Council, who, according to the City Charter, would by then have replaced Koch as Mayor—assuming, of course, that he defeated his primary opponent and then, in November, the Republican nominee. The chances for the latter result looked better and better as Reaganomics continued to take its toll in New York State. On Primary Day, one could imagine the Mayor, a few months in the future, looking back with deep nostalgia at his former realm, which, though smaller than a whole state, is larger than some principalities; after Princess Grace of Monaco died last month, some New Yorkers reminded one another that Monaco is less than half the size of Central Park. When Koch, who is a city boy all the way—born in the Bronx, partly raised in Brooklyn, and a Manhattan resident since the nineteen-fifties—was first sworn in as Mayor, on January 1, 1978, he had the delighted air of someone who feels that he has reached Oz's Emerald City. Now, on the morning of the primary, there seemed to be a strong possibility that next January 1st he would formally give it all up to live in Albany, which, before he knew he would be a candidate for Governor, the Mayor—who has often said that one reason for his great political popularity is his practice of saying exactly what he thinks, no matter whom it may offend or give pain to—had described as "small-town life at its worst" and "a fate worse than death."

A few days after the fate-worse-than-death remark was published, Koch called on the venerable Erastus Corning II, who is not only the eleven-term Mayor of Albany but the Democratic boss of Albany County. Mayor Koch announced that Corning had generously forgiven him. "I forgive, but I don't forget," Corning later told a reporter. On September 23rd, Mario Cuomo carried Albany County by a ratio of better than three to one. At City Hall earlier that day, the bets that were being taken on the outcome were not on who would be the winner but on whether Koch's winning percentage would be a matter of two digits or one. An Associated Press–WNBC poll released on September 13th had given the Mayor a lead of forty-six percentage points to thirty-five, and a poll taken for the New York *Post* by Century Opinion Polls, of Great Neck, Long Island, and published the day before the primary, had put Koch's lead at eighteen per cent. It was true that a pesky September 16th poll done by Gordon Black, of Rochester, for the Gannett News Service, showed the two Democratic contenders as nearly even and Cuomo as eight points ahead among those considered most likely to vote, but most local politicians—and many local reporters—had dismissed this study as insufficiently scientific and heavily weighted toward upstate, where Cuomo was already known to be strong. On the night before the primary, Koch had given an impression of supreme confidence when he did not even bother to take part in a scheduled television debate with Cuomo, although the program was on a local station that is also carried by cable to upstate areas.



By noon on Primary Day, however, the Mayor had got some news that helped explain why he was somewhere besides City Hall later in the day. In the 1977 mayoral election, he took three-quarters of the Jewish vote, and, according to most estimates, his fellow-Jews usually account for about thirty per cent of the Democratic vote in a statewide primary. The news the Mayor got was that Jewish voters were not going to the polls in anything like their usual numbers. He was not reassured by the explanation of Donald Manes, the Queens Democratic boss, that "in Queens they vote late." A Koch worker sent up to a Jewish section of Riverdale that morning bearing six hundred pro-Koch flyers had encountered so much resistance to them that an hour later she had five hundred left. Candidates customarily lie low on election days, leaving the voters to make the critical decision in peace. On the afternoon of September 23rd, the Mayor was at Grand Central Terminal and Penn Station exhorting passersby to support him, his voice rising to a shout as he struck his familiar, upraised-arms pose, which in the past had seemed to be a kind of oversized victory sign but this day looked more like a beseeching gesture.

Meanwhile, Cuomo, who had said that his in-house polls showed he would win by three to five percentage points, was sitting around his home in Holliswood, Queens, in a worn shirt and an old pair of pants. His aides boldly announced that he was "writing his victory speech." This report was widely taken as an example of the Lieutenant Governor's powers of self-delusion and his tendency to be the out-of-it dreamer that Koch during the campaign had constantly charged him with being, when he compared Cuomo's qualities unfavorably with his own pragmatism and record of achievement as Mayor. ("And you, Mario, have *no* record.") "It's the philosopher versus the pragmatist" was the tag line of one final television commentary before the primary.

"Come on, come on, shape up! Let's have an antlike procession here!"

• •

On Primary Night, it was the pragmatist who made the concession speech. One million three hundred thousand Democrats had voted—almost forty per cent of those registered, and twice as high a percentage as the one that had turned out in the last gubernatorial primary, in 1978. Cuomo had won by fifty-three per cent to Koch's forty-seven. The Mayor would not be leaving the Emerald City after all.

ALL three local newspapers used the word "stunning" in their leads the next day, as well they might have; the outcome had certainly stunned their editorial boards, all of which, in a rare display of unanimity, had strongly endorsed Koch. Until the Cuomo upset, the primary race had not received much front-page attention. Some of the issues raised in the race were compelling, but many politically minded New Yorkers had been distracted during the summer and early fall by what was happening in Washington and, particularly, in the Middle East. The Republican candidates in the primary were Lewis Lehrman, a multimillionaire former president of the Rite Aid drugstore chain, and Paul Curran, a onetime United States Attorney. Lehrman was expected to have no trouble winning, thanks to his having spent over seven million dollars—most of it on television commercials—which was about twenty times what Curran had spent. On September 23rd, Lehrman took eighty-one per cent of the vote. Koch's three-and-a-half-million-dollar primary treasury was well over twice as big as Cuomo's. Another reason the Mayor was expected to win in a breeze was the impression that he was politically invincible. In last year's mayoral election, this impression had so intimidated other city politicians that no one from either major party who might have had a plausible chance against him had ventured to enter the race. Running on both the Republican and Democratic lines, Koch took seventy-five per cent of the vote—a statistic that he constantly mentioned during the gubernatorial campaign as proof of his huge popularity here. Cuomo was not intimidated by this figure, or he would never have run. The delusion in this instance was that of the Koch forces, in whom the numbers bred overconfidence. They apparently forgot that the seventy-five per cent had been achieved in an election in which the Mayor's opponents were little known and virtually without funds, and that it represented three-quarters of the lowest turnout in any mayoral election in modern times. Last month, the Mayor's winning margin in the city was only one-half of one per cent, while Cuomo was winning two out of every three votes upstate.

Most of the fall primaries around the country were held on September 14th. The Koch team may have been happy to note then that all but one of the major contests were won by the incumbents. Koch, of course, was not an incumbent Governor (the present Governor, Hugh Carey, announced on January 15th that he would not be a candidate for reëlection) but he was an incumbent Mayor, and one who would remain in office if he lost the governorship. These circumstances gave him large advantages in raising funds and filling his official days with events—ethnic festivals and the like—that, quite incidentally, would make friends for him as a candidate. The one loser among the incumbents on September 14th was Governor Edward King, of Massachusetts, who was defeated by former Governor Michael Dukakis. After Dukakis won,

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Cuomo several times pointedly mentioned the resemblance between the race in Massachusetts, where King, the more conservative candidate, was known as President Reagan's favorite Democratic Governor, and the one in New York, where Koch had for a time seemed to be Reagan's favorite Democratic Mayor. It was very hard to imagine the man who was expected to win the New York primary saying what Dukakis did on the night of his victory. Referring to the defeated Governor and his wife, Dukakis told the jubilant crowd at his election headquarters, "Our hearts go out to Jody and Ed King." He and his wife, Dukakis said, knew what it was like to "pour your souls" into a political effort "and then lose a primary and have everything swept away." Three days before the primary here, Koch had said of the race against Cuomo that he hoped to win big, because "it will take the heart out of him." The only time the Mayor had lost an election was in 1962, when he ran for State Assemblyman. His lack of any sense of kinship with those who come up short on Election Night was apparent in his reaction to the fact that former Representatives Bella Abzug and Herman Badillo, whose political lives have not worked out as they had hoped, had endorsed Cuomo. "Three losers" was the Mayor's comment. Not only did possible defeat in the primary seem to be light-years from his thoughts but for months his media adviser, David Garth, had been encouraging press speculation around the country that Koch's next stop would be Washington. In a spectacular example of journalistic miscalculation, the September 19th cover story in the Boston *Globe* Sunday magazine dealt with what it called "the irrepressible Ed Koch" under the headline "ED KOCH ON THE MOVE: WILL NEW YORK'S MAYOR END UP IN THE WHITE HOUSE?"

ALTHOUGH the September 23rd results made it clear that Ed Koch was not on the move anywhere, everything hadn't been swept away for him. "I'm still the Mayor of New York City, and that's not bad," he reminded the downcast crowd at his headquarters that night. Cuomo, in his victory speech, called the Mayor "an extraordinary public servant." He also said he looked forward to "locking arms" with "another great Democrat, Hugh Carey"—even though a week earlier the Governor had turned his

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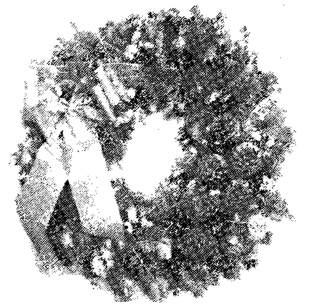

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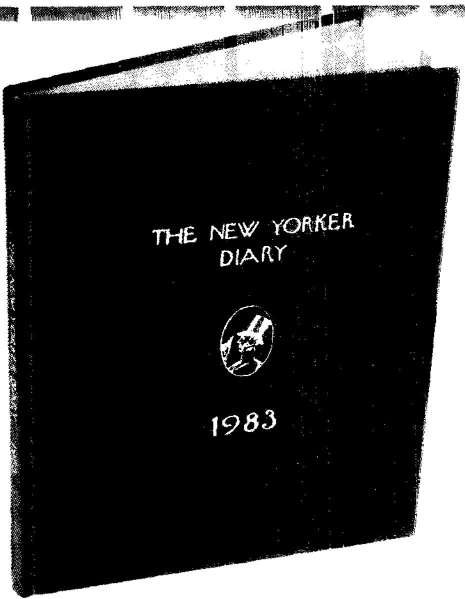

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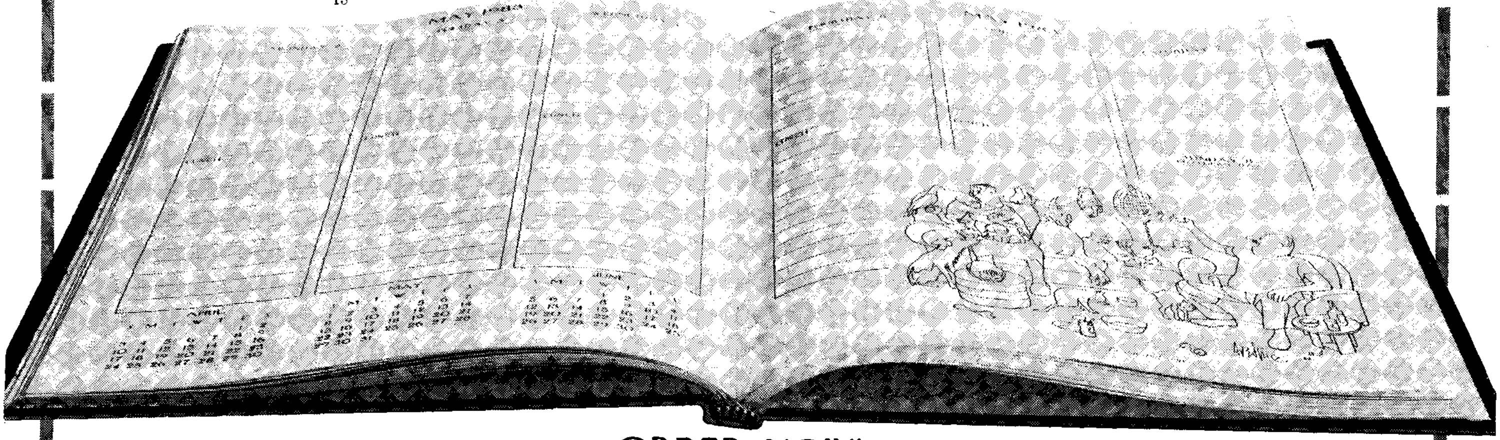

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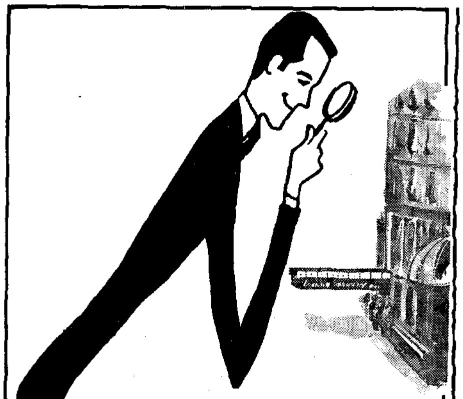

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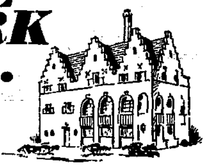

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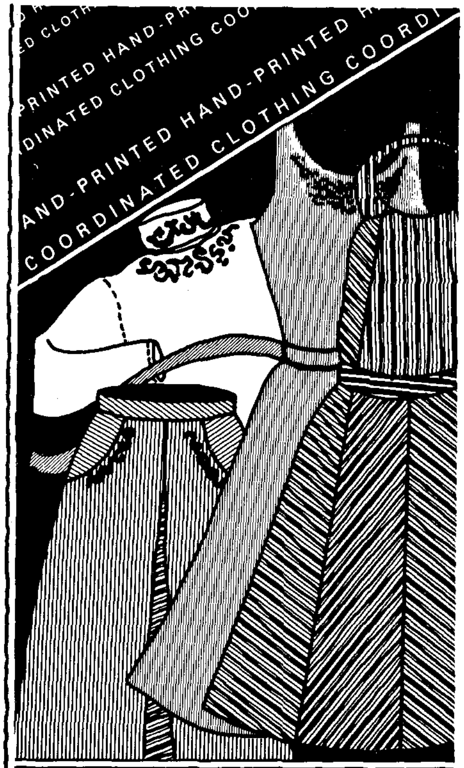
back on his Lieutenant Governor to endorse Koch. Cuomo's salute to Carey set off an explosion of boos from his supporters. "You ask too much, Mario!" a voice in the crowd shouted. Not only the winner of the Democratic primary but the loser took the outcome gracefully; indeed, "grace" was the word most often used to describe Koch's demeanor after his bitter and unexpected loss. "Don't be upset," Koch told his supporters, his voice no longer a shout. "And do be happy for Mario, because that's the way the Democratic Party will win in November."

Nearly every prominent Democratic political leader, including the State Democratic Chairman and all but one of the five local Democratic political bosses, had endorsed the Mayor. Of the fact that the editorial boards of all three newspapers had backed Koch, the *Daily News* observed in an editorial after the primary, "So much for the power of the press!" The *News* editors added that "there will be no tears shed in this corner" over the victory of Cuomo, whom they congratulated for a "superbly run race." At the *Times*, the editors sounded not so much tearful as affronted. Not only had they backed the wrong man in the Governor's race but every single candidate they had endorsed for major state office had lost. In the matter of the Koch-Cuomo race, their editorial tone was grudging to the point of ill nature, as if the writer had been personally offended by the Mayor's having so mismanaged things that he lost, whereas a year earlier he had "seemed the least beatable politician in the state, while Mario Cuomo was an amiable if gloomy Lieutenant Governor who had won little more than a reputation for starting first and finishing last." (The *Times*, like the Mayor before September 23rd, appeared to be short on sympathy for losers.) As for Cuomo's record as a loser, the Lieutenant Governor, whose political career goes back only eight years, lost his first race, for that post, in 1974, coming in second in the primary among three contenders. Carey then appointed him Secretary of State in Albany, and in 1978 he was unopposed for the Democratic nomination for Lieutenant Governor and was elected on the same line as Carey. In the 1977 mayoral race, he had lost the Democratic primary to Koch, coming in second in a field of seven; had lost the runoff; and, running on the Liberal ticket, had lost to Koch in the general



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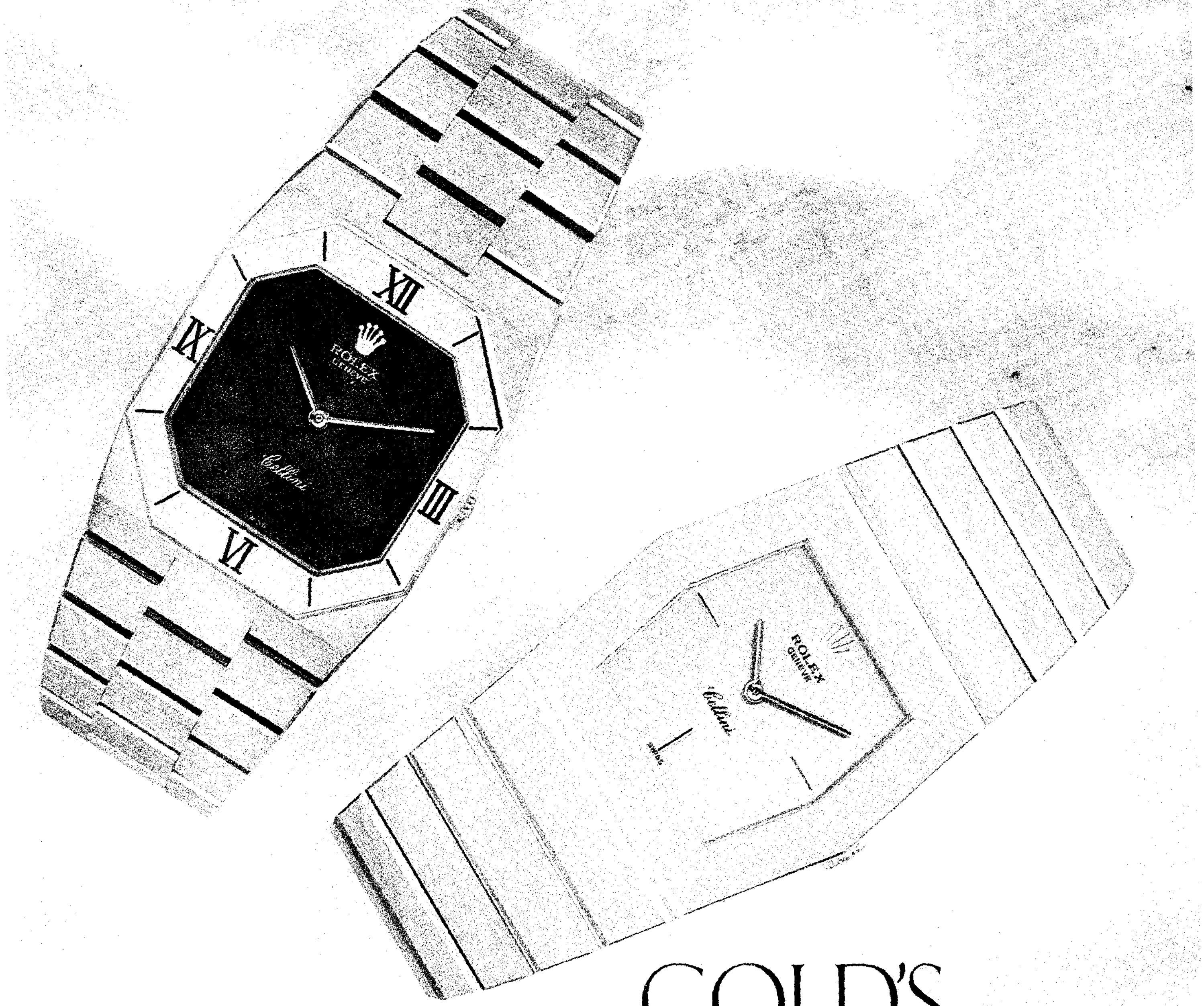

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election, though he came in second in a field of four and got over half a million votes. In its editorial on this year's primary result, the *Times* referred to the Koch "wreckage," and the same day a front-page story by Anna Quindlen about the morning after at City Hall referred to "the ruins of what might have been." Offering one explanation for the outcome, the *Times* said of Koch, "His urban, sometimes brassy manner made him less palatable upstate than the filial Mr. Cuomo." It was not immediately apparent how the primary winner's being good to his mother, Immaculata Cuomo, was relevant to a gubernatorial race. The local newspaper that played the most prominent role in the primary campaign was, of course, the *Post*, which last January began urging Koch to run for Governor, going as far as to print coupons that readers could send in to second the motion. On Primary Day, possibly in an effort to persuade its readers that any friend of Cuomo's was no friend of the *Post's*, the paper ran a picture showing the Lieutenant Governor walking out of a Buffalo hotel past a sign put up by one of his supporters that read, "The *Post* Is a Crock." In its caption, the *Post* chose to interpret this judgment as being based on the fact that the *Post*-sponsored poll had put Cuomo eighteen points behind. On the day after the primary, the *Post*, in a historic display of editorial flexibility, ran a huge headline across its front page that said "MAGIC MARIO!" Its congratulatory editorial hailed Magic Mario and Landslide Lew, with the *Post's* former hero, the Mayor, mentioned almost in passing.

THE primary returns were hardly in before members of the Koch camp were attributing the Mayor's defeat to anti-Semitism caused by what, according to the Israeli government, was a dreadful international misjudgment of its role in the West Beirut massacre, news of which had reached this country five days before the primary. Whatever the truth of the anti-Semitism theory, the lower turnout of Jewish voters could have meant that many of them were understandably preoccupied with events in Lebanon. The fact that the Mayor's margin of victory was down eight or nine points from what he had counted on among those Jews who did go to the polls possibly reflected a growing uneasiness in New York Jewish circles

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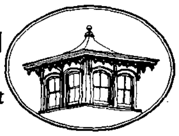

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over the close relationship between Prime Minister Menachem Begin and Koch, who, in a sense, share a media adviser. Garth, who worked on Begin's last reëlection campaign, continues to play a helpful role with the Israeli government. In 1978, Begin, at Koch's invitation, became the first head of a foreign state to stay at Gracie Mansion. Last June, the Mayor issued a statement hailing the Israeli invasion of Lebanon to drive out the Palestine Liberation Organization. A few weeks later, a letter from Koch saying that it was "what the rest of the world should have been doing long ago" was read aloud at a Tel Aviv gathering at which the main speakers were Begin and Defense Minister Ariel Sharon. In mid-August, Koch held a press conference in his office at which two representatives of the Lebanese Christian Phalangists explained the Lebanese situation from their point of view. (Koch suggested that the reporters present not refer to them as "Phalangists," which, he noted, had unfortunate connotations as a result of the Spanish Civil War.) And on August 26th, when New York was visited by the Israeli Defense Minister, Koch sought and was granted a meeting with Sharon, whom he described as "my old friend."

Cuomo, who got about three-quarters of the Italian-American vote, has maintained that he did not sense any anti-Semitism in the primary—"nor any anti-Italian feeling, which, as you know, is out there also." At his headquarters on Primary Night, a small trio constantly played Cuomo's campaign song, the theme from "Rocky." During the campaign, Cuomo had been careful to explain, "This is 'Rocky II' "—that is, not the earlier movie, in which the underdog Italian-American fighter lost, as Cuomo did to Koch in 1977, but the sequel, in which Rocky won the title. Why the outcome was different this time will be mulled over for years, and the race will probably become a classic in the political-science books: how Cuomo was able to put together a winning coalition that included minorities, upstaters, philosophical liberals, Italian-Americans, and organized labor. "If you think labor is dead, ask Mayor Koch," Albert Shanker, the head of the teachers' union, said on Primary Night. For the moment, Cuomo's most urgent concern was the general-election campaign. The Republican candidate, Lehrman, announced at once that although Gover-

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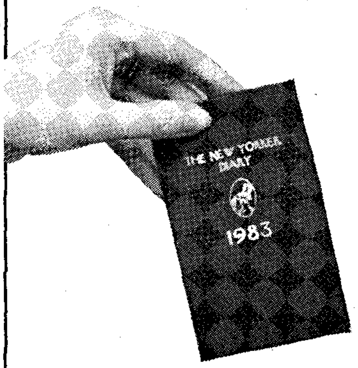

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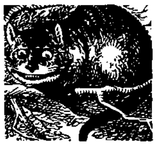

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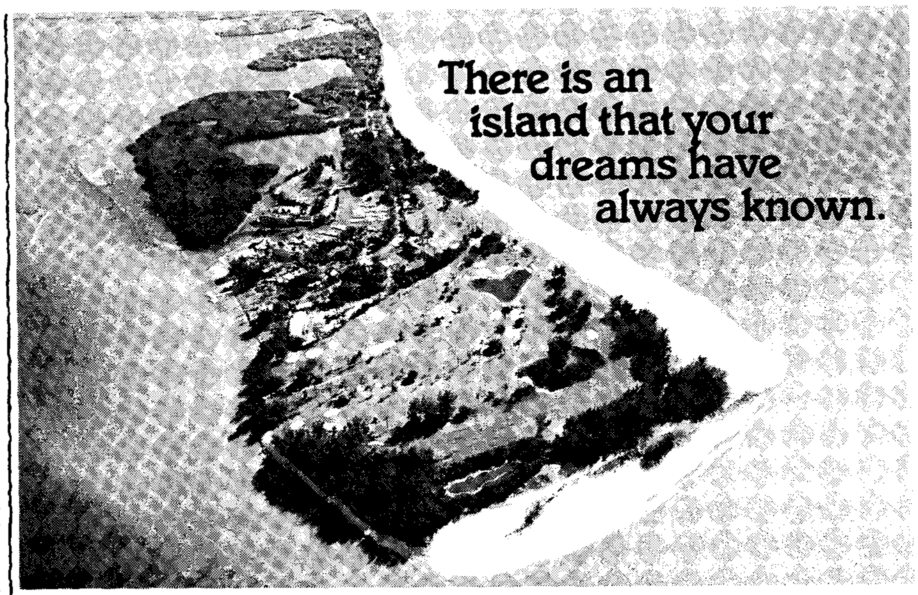
nor Carey had endorsed Koch rather than Cuomo, he planned to charge the Lieutenant Governor with full responsibility for what he regarded as the depredations of the Carey regime. "It's wonderful how fast I got a record," said Cuomo.

THE Mayor, in his concession speech, assured the Primary Night crowd, "Tomorrow, I will be at City Hall working as hard as I always have," and that's where he was the next day. At a press conference, he insisted that he was not depressed. His tone was subdued, even reflective, sounding rather like the Koch who, as a nine-year member of the House of Representatives, had appeared to be genuinely interested in the answer when he asked "How'm I doin'?" It was quite a change from the politician of recent years—the Mayatollah, as he liked to call himself, who had often seemed to be intoxicated with self-confidence and self-esteem. Meanwhile, the first order of business for all hands at City Hall was to try to adjust as best they could to the sudden change in their fortunes. Among those with more severe adjustment problems was Carol Bellamy, who would not, after all, automatically become the first woman Mayor of New York. There were suggestions that she and the Mayor might consider putting out as a matched set the article on his possible White House plans and one in the September 26th issue of a Long Island weekly under the headline "CAROL BELLAMY: NEXT STOP GRACIE MANSION?"

In front of City Hall on the day after the primary, twelve marching bands from Germany gave a preview of the annual Steuben Day parade up Fifth Avenue, the next day. During the campaign, the Mayor would have been right there pumping hands, trying to nail down the German ethnic vote. Instead, he sensibly went out for a long lunch. Political caution was not thrown entirely to the winds, however. On Steuben Day, the new, repressible Ed Koch joined the paraders for the full length of the march. Cuomo marched a few blocks and then joined Lehrman, another winner, on the reviewing stand. As he got to the stand, the Mayor, after a moment of hesitation, broke away briefly from the other marchers and came over to greet Landslide Lew and Magic Mario. "Hello, champ," said Cuomo, reaching down to shake the Mayor's hand.

—ANDY LOGAN



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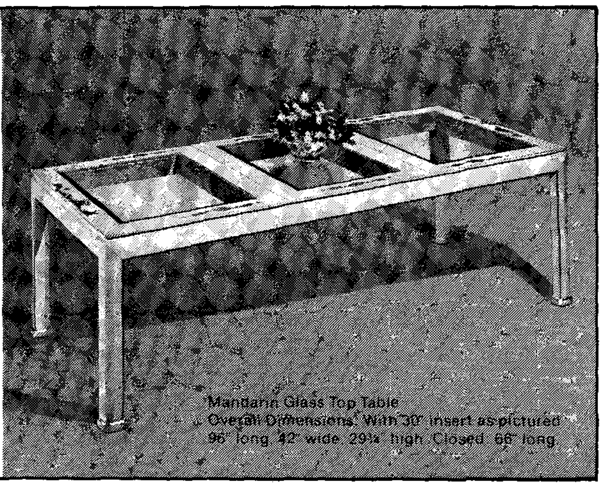
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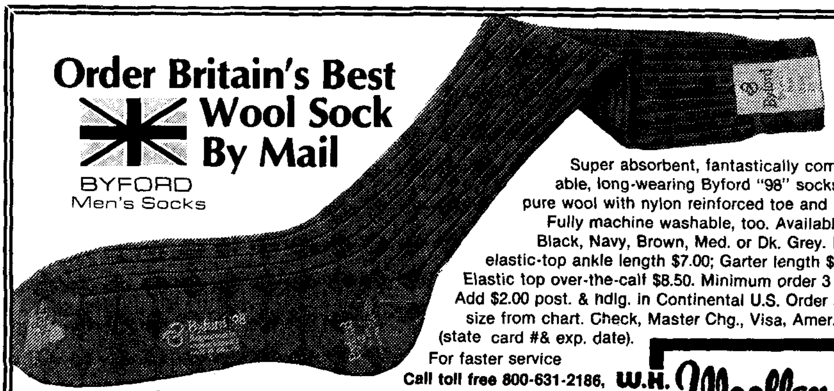

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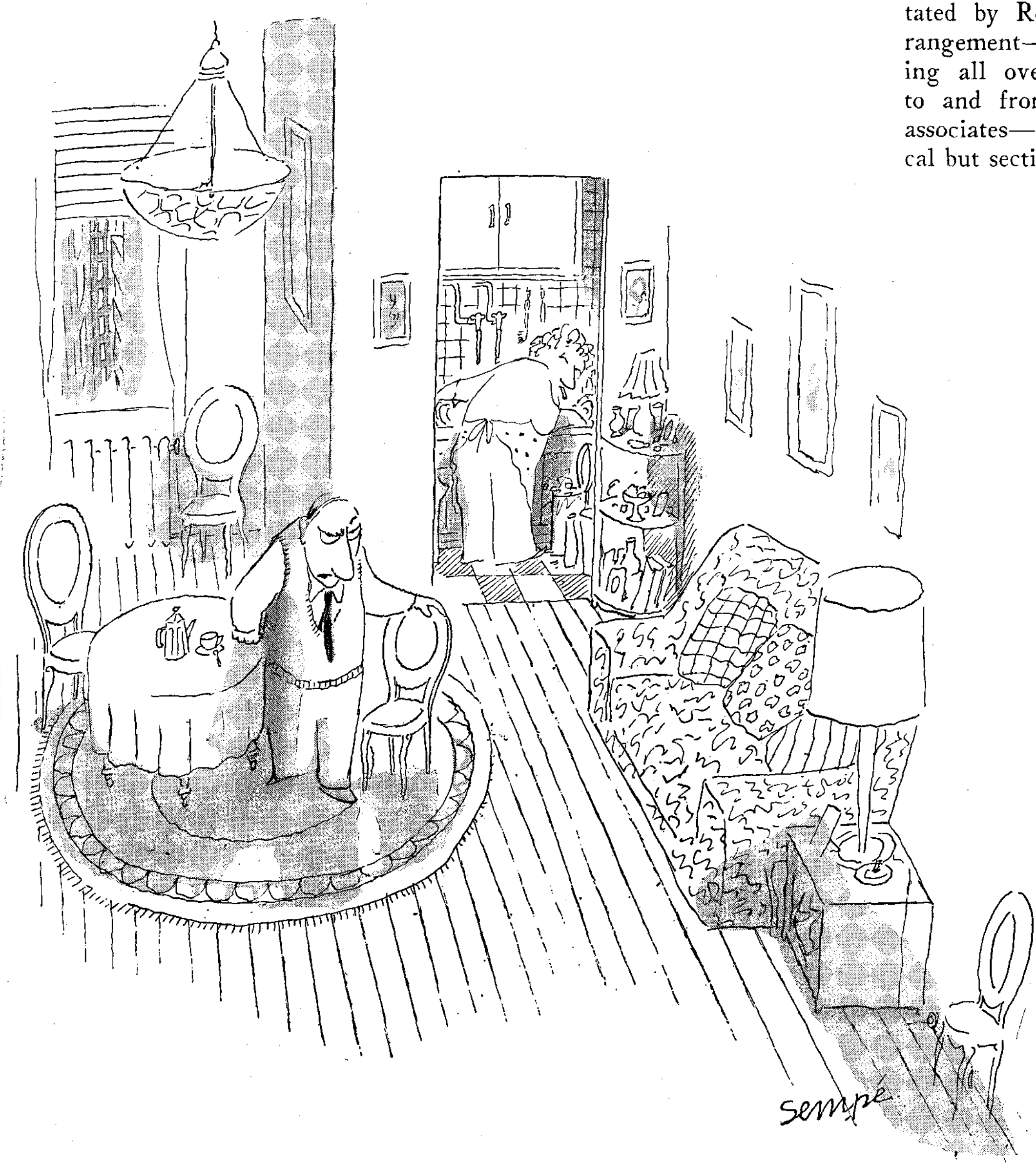
BOOKS

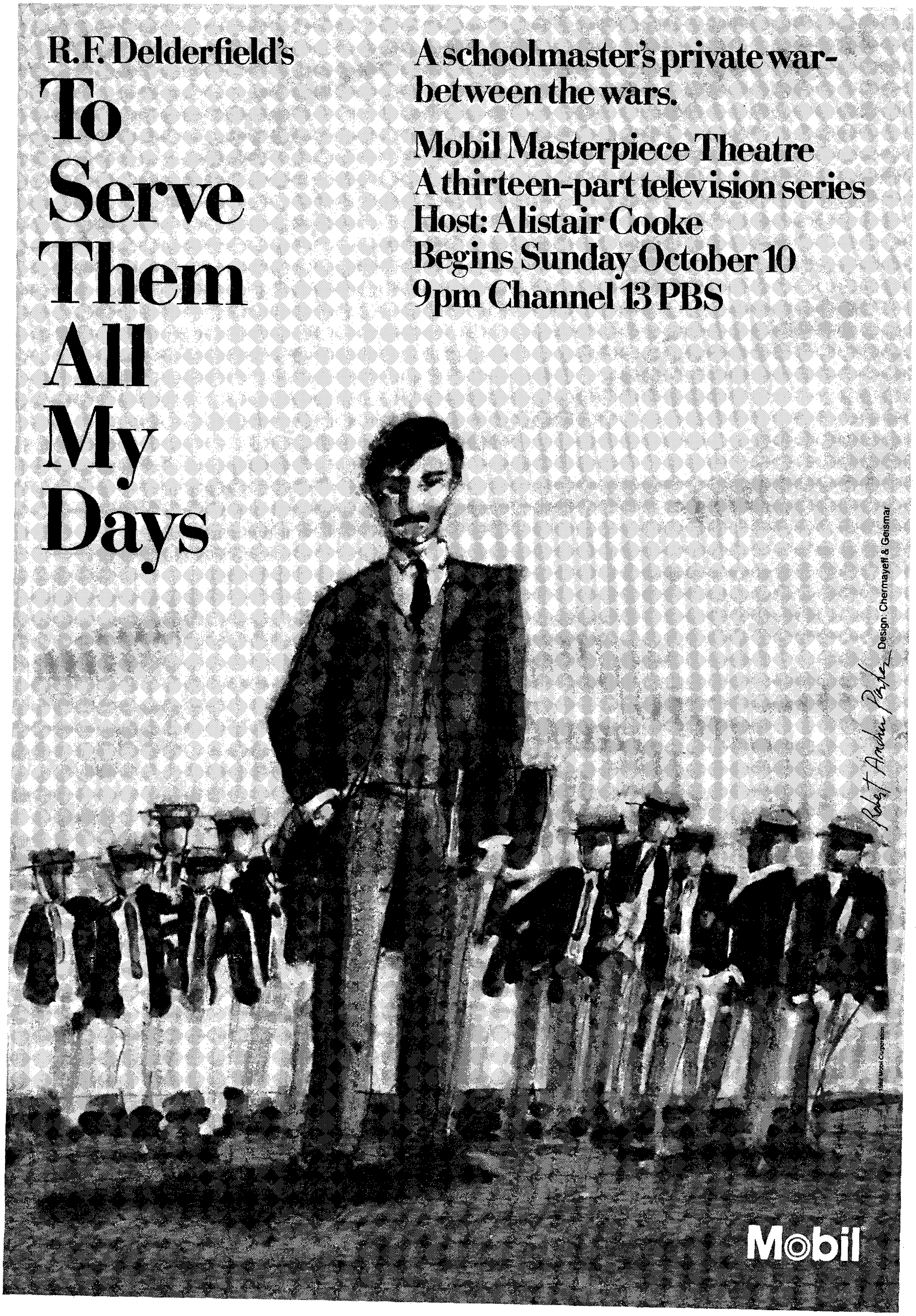
Stravinsky as Correspondent

A Parlor Game was once played at Stravinsky's house in Hollywood in which people had to choose the most suitable profession for each of their fellow-guests other than his actual vocation. As far as the host himself was concerned, there was general agreement: if not a composer, he could only have been a postman. Everyone knew what a part the post played in his life—how he fretted if it was late, and always expected replies to his own letters long before they could possibly come. Yet for most of his long life Stravinsky, a busy correspondent, was too busy to write proper letters. He had nearly all the necessary qualities and advantages: a wide circle of interesting friends, endless curiosity, keen powers of observation, wit, a vivid personality. But music and its attendant paraphernalia came first: proofs, corrections, business arrangements, rehearsal and travel plans, instructions, complaints, an occasional commendation. Moreover, as time passed, and fewer and fewer of his intimates were Russian, he was obliged to write more and more in languages other than his own. It was not until late in his life, under the intellectual stimulus of Robert Craft and, for a time, of W. H. Auden, that he began to relish and play with the English language as if it were a delightful new toy. Many readers will recall the sharp wit and intellectual high spirits of those interviews which used to appear in the *New York Review of Books*—right up to the very last one, a few days before his death, when he replied to the question "How do you feel since your return from the hospital, Mr. Stravinsky?" with the devastatingly simple "Worse, thank you," adding, by way of softening the blow, "But the doctors say that worse means better, since it indicates that I am more aware of how bad it is. And by that logic I could hardly welcome a euphoric sense of improvement." It is like a page of Ivy Compton-Burnett.

More utilitarian, as a rule, and less sparkling is the tone of the volumes of correspondence that have now begun to appear. There are to be three of them, selected, edited, and annotated by Robert Craft, and the arrangement—wisely, with letters darting all over Europe and America, to and from dozens of friends and associates—is not simply chronological but sectional, following the course of a single friendship or collaboration, sometimes over several decades and with extensive gaps between projects or proximities. "Stravinsky: Selected Correspondence, Volume I" (Knopf; $27.50), the first installment, comprises nine such groups, beginning with a rather sad series from Catherine, the first cousin who became Stravinsky's first wife. She began to suffer severely from tuberculosis as early as 1914 (only eight years after their marriage), generously accepted her husband's liaison with the lovely Vera de Bosset (who was to become his second wife), and died in 1939. She was intensely, rather suffocatingly pious—something of a self-sacrificing saint, perhaps—and both she and Stravinsky's mother were kept, Mr. Craft seems to suspect, short of funds by the always careful composer. For the rest of the volume, profes-



"I demand to know what hidden forces are impeding my progress and strewing my path with obstacles!"



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sional life takes over. There are affectionate letters to Maurice Delage (1879-1961), a minor French composer, and a revealing correspondence with V. V. Derzhanovsky (1881-1942), the editor of a Moscow periodical called *Muzyka*, which shows how Stravinsky saw and was seen by musicians in Russia after he had left the country but before the Revolution. Then a long exchange with Jean Cocteau, lasting, with many breaks, from 1913 until 1962—and we have plunged deep into the world of artistic collaboration, remaining there, more or less, to the end. The creation of "Oedipus Rex" is fully documented, and there is much talk about a proposed but unrealized ballet on the subject of David.

The following section—letters to Ernest Ansermet—is the longest in the book, and in some ways the most revealing. For many years, Ansermet remained that rare figure (Klemperer was another)—a conductor of whom Stravinsky could wholly approve. His relations with conductors were generally bad; as a rule, he hated and despised the breed. And this contempt applied not only to admittedly prima-donna conductors, like Koussevitzky and Stokowski, but also to some who were generally reckoned as thoroughly serious musicians, or even Stravinsky champions. Pierre Monteux, for instance, the first conductor of "Petrushka," who had also weathered the storm of the "Sacre du Printemps" première, becomes in 1930 "this vain, petty individual. . . . What a sad person, that Monteux!" As for Furtwängler, he "is beginning to worry, sensing . . . that serious representatives of contemporary music—the first culprit being myself—are hostile toward his notorious conducting." Even with Ansermet, relations were soured, for a while, by the conductor's obstinate insistence on making cuts in a concert performance of "Jeu de Cartes." Much later—in 1961—Ansermet published a book called "Les Fondements de la Musique dans la Conscience Humaine," in which he denounced serialism in general and Stravinsky's later works in particular. Whatever ructions may have ensued are not here documented, but a few last messages (of 1966-67) seem designed to dispel any remaining hostility. "We are both too old not to think about the end of our days," Stravinsky writes, "and I would not want to finish these days with the burden of a painful enmity." It was a note he seldom struck.

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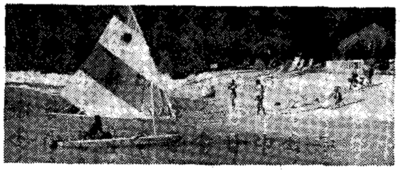

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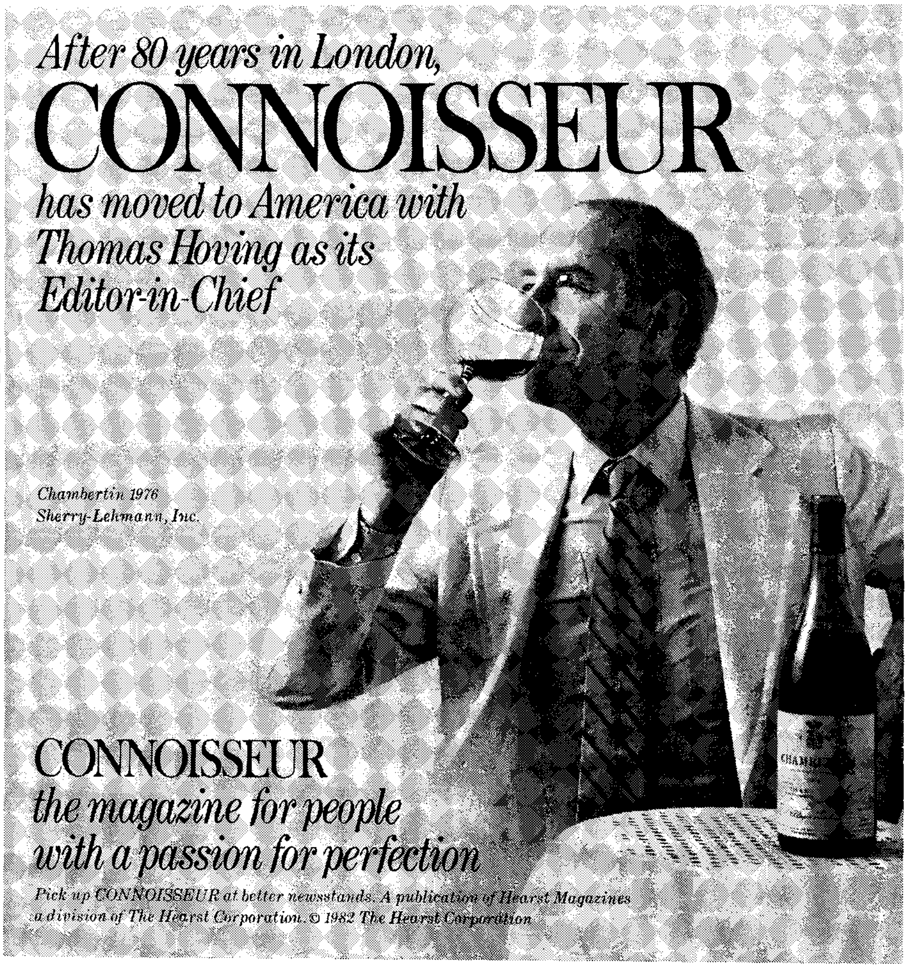
The correspondence with Nadia Boulanger, a profound musician and always his ardent admirer, is naturally warm but mainly practical in tone. Complete geniality does not begin to appear until the last three sections. These are wholly postwar and consist of letters to and from Lincoln Kirstein and to and from Auden, and end with a large number of letters chronicling the early years of the relationship with Mr. Craft, which was to mean so much to both men for nearly a quarter of a century. What explains the increasing warmth of tone—which in another man might be called "mellowing"? In part, no doubt, the increasing happiness—especially after his marriage to his beloved Vera and their move to America—of the composer's domestic life; in part, the growing public recognition of his towering creative stature, and of the essential unity of his work through the surprising variety of styles that had for long puzzled and alienated many listeners; in part, the selfless admiration, affection, and goodness of such rare individuals as Mr. Kirstein and Mr. Craft. Though the least sentimental of great men, Stravinsky was human enough to enjoy the steady growth of his reputation, and the loving respect of such intimate associates, at a time of life when many composers have to put up with the growing indifference or contempt of the public and their juniors. He saw the point of Auden, also—"this big, blond, intellectual bloodhound"—as clearly as Auden saw the point of the composer. Their correspondence, documenting the creation and first production (in Venice) of "The Rake's Progress," will be of great interest to all admirers of that work; for instance, there is Auden's passing notion (1947) "that between the two acts there should be a choric parabasis as in Aristophanes." A fancy not adopted, of course, in the eventually three-act "Rake," but inserted, we remember, long afterward as a feature of "The Bassarids," by the more pliable Hans Werner Henze.

The meticulous annotation and editing of all this material are vastly to the credit of Robert Craft, as is also his frank acceptance of some embarrassing flaws in the character of the father figure and friend whom he must have loved "this side idolatry." In 1951, Stravinsky writes to Auden, "Unfortunately, it is not my responsibility to provide for your active role with Kallman. I have not sold La Biennale anything but my conducting



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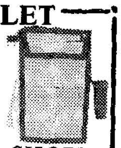

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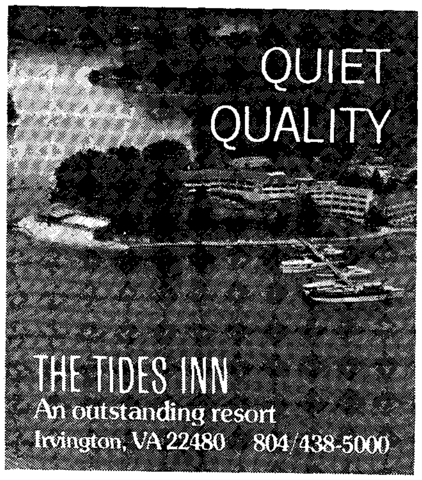

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and musical supervision of the performance [of "The Rake's Progress"], and most of your problems are off bounds to me." To this, Mr. Craft appends a curt footnote that it must have pained him to write: "Stravinsky is pretending that the $20,000 for the opera, procured for him from the Italian government by Nicolas Nabokov, was not a commission (which he would have had to share with the librettists) but a fee for conducting the première." On December 10, 1949, Mr. Craft conducted in Town Hall Stravinsky's "Mavra" and Monteverdi's "Orfeo" (it sounds a long program), "and a few days later disbanded my New York concert organization and boarded a bus for Los Angeles, where Stravinsky presented me with the most marvellous gift I have ever received, a copy of his only unpublished major composition, the 'Dialogue Between Joy and Reason.' " "This marked," he adds, "not an end but the beginning of my twenty-three years of friendship and collaboration with Igor Stravinsky." So the long story has a happy ending.

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And *one* of them to get a good dressing down.

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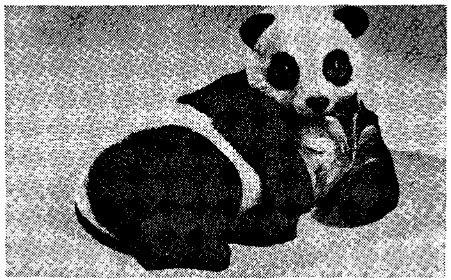

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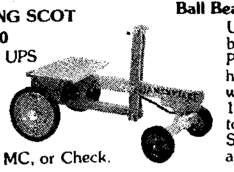

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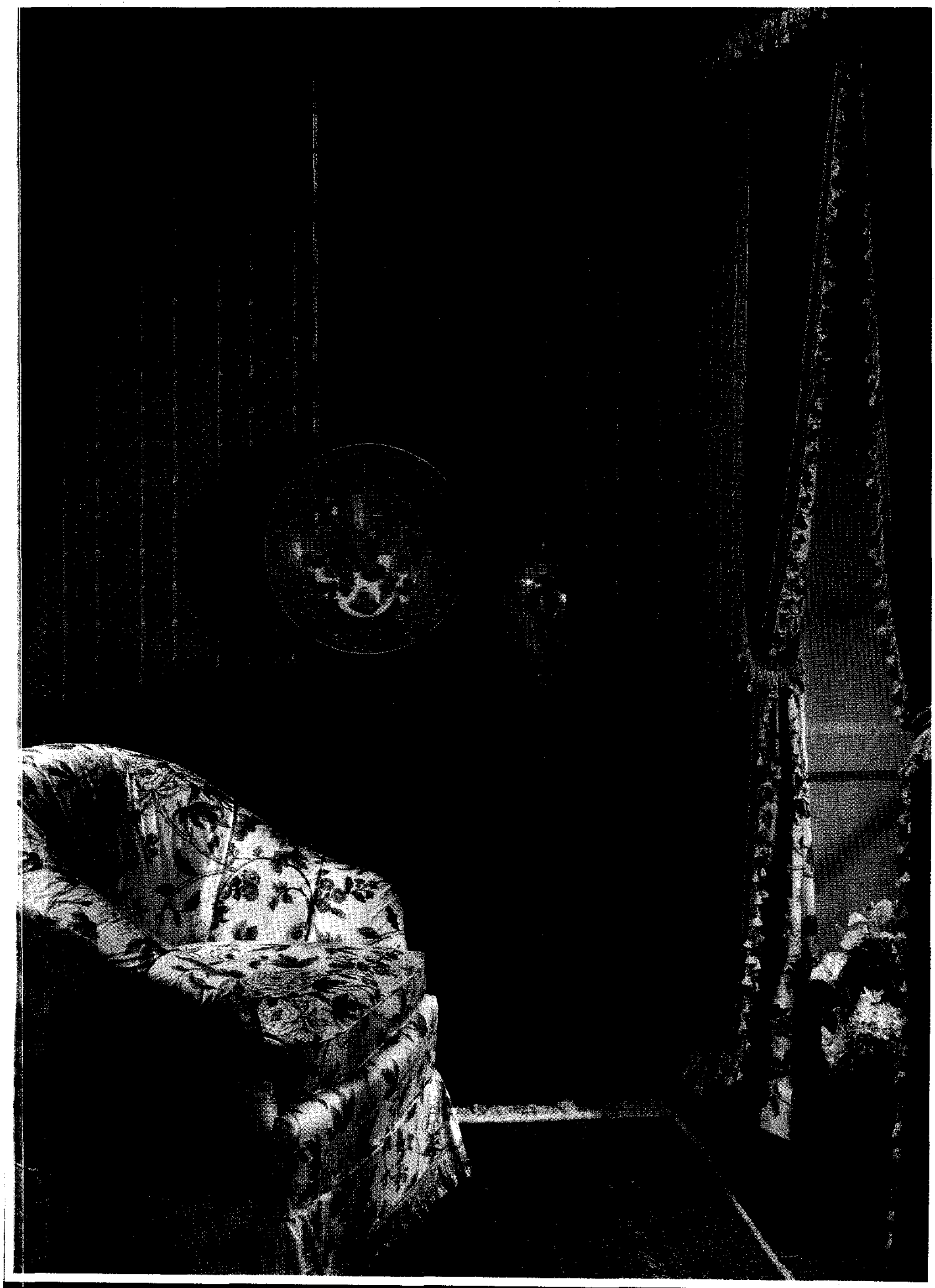

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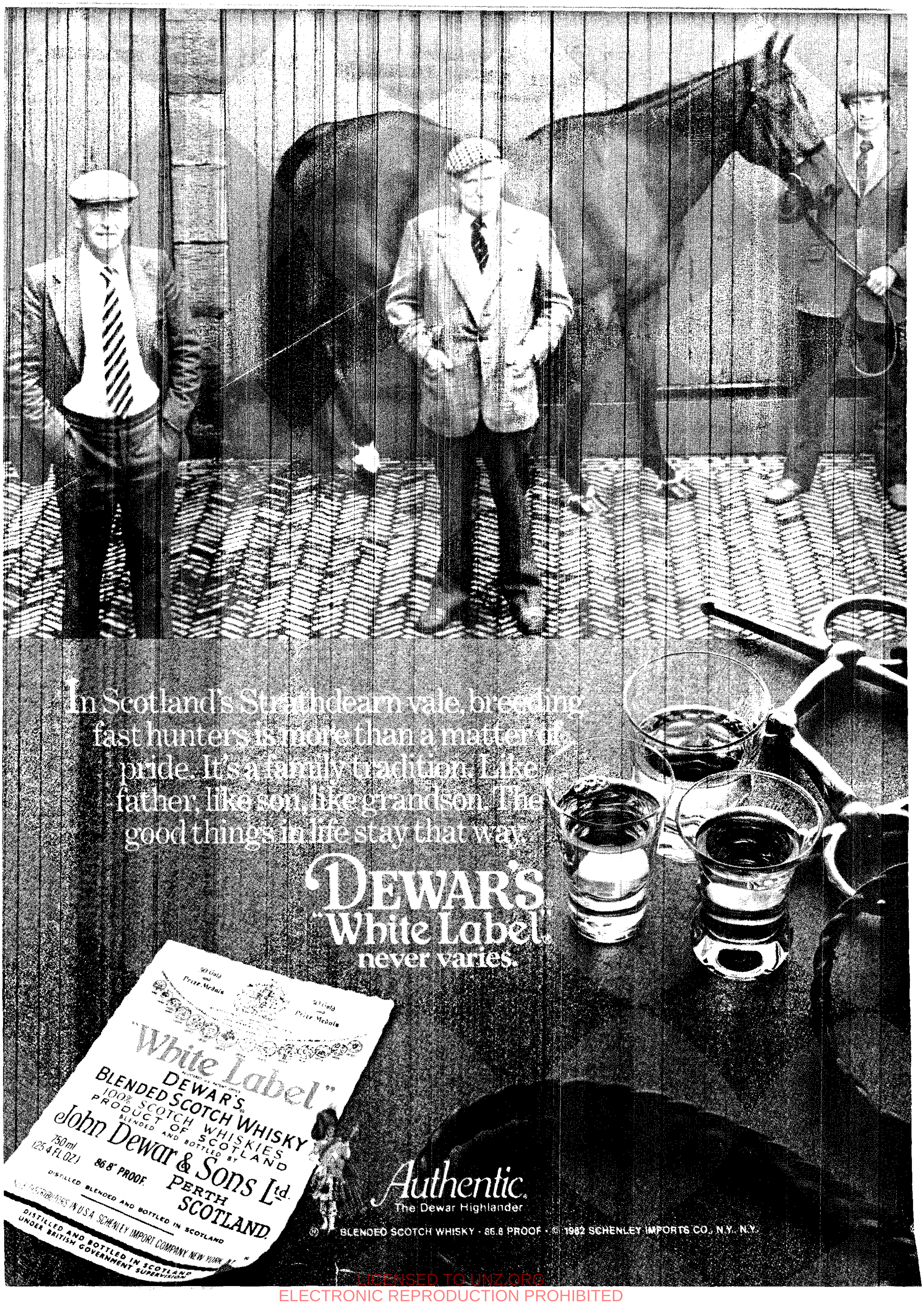
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